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HEART OF MID-LOTHIAN.

Effie Deans

Published by Ticknor and Fields, Boston 1857.

WAVERLEY NOVELS.

HOUSEHOLD EDITION.

THE HEART OF MID-LOTHIAN.

I.

BOSTON:
TICKNOR AND FIELDS.
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RIVERSIDE, CAMBRIDGE:
STEREOTYPED AND PRINTED BY
H. O. HOUGHTON AND COMPANY.

TALES OF MY LANDLORD,

COLLECTED AND ARRANGED

BY JEDEDIAH CLEISHBOTHAM,

SCHOOLMASTER AND PARISH CLERK OF GANDERCLEUGH.

SECOND SERIES.

THE HEART OF MID-LOTHIAN.

Hear, Land o' Cakes and brither Scots,
Frae Maidenkirk to Johnny Groats',
If there's a hole in a' your coats,
I rede ye tent it;
A chiel's amang you takin' notes,
An' faith he'll prent it!
BURNS.

Ahora bien, dixo il Cura: traedme, senor huésped, aquesos libros, que los quiero ver. Que me place, respondió el; y entrando en su aposento, sacó dél una maletilla vieja cerrada con una cadenilla, y abriéndola, halló en ella tres libros grandes y unos papeles de muy buena letra escritos de mano.—Don Quixote, Parte I. Capitulo 32.

It is mighty well, said the priest: pray, landlord, bring me those books, for I have a mind to see them. With all my heart, answered the host; and going to his chamber, he brought out a little old cloke-bag, with a padlock and chain to it, and opening it, he took out three large volumes, and some manuscript papers written in a fine character.—Jarvis's *Translation.*

THE HEART OF MID-LOTHIAN.

Introduction—(1829.)

The author has stated, in the preface to the Chronicles of the Canongate, 1827, that he received from an anonymous correspondent an account of the incident upon which the following story is founded. He is now at liberty to say, that the information was conveyed to him by a late amiable and ingenious lady, whose wit and power of remarking and judging of character still survive in the memory of her friends. Her maiden name was Miss Helen Lawson, of Girthhead, and she was wife of Thomas Goldie, Esq. of Craigmuie, Commissary of Dumfries.

Her communication was in these words:

"I had taken for summer lodgings a cottage near the old Abbey of Lincluden. It had formerly been inhabited by a lady who had pleasure in embellishing cottages, which she found perhaps homely and even poor enough; mine, therefore, possessed many marks of taste and elegance unusual in this species of habitation in Scotland, where a cottage is literally what its name declares.

"From my cottage door I had a partial view of the old Abbey before mentioned; some of the highest arches

were seen over, and some through, the trees scattered along a lane which led down to the ruin, and the strange fantastic shapes of almost all those old ashes accorded wonderfully well with the building they at once shaded and ornamented.

"The Abbey itself from my door was almost on a level with the cottage; but on coming to the end of the lane, it was discovered to be situated on a high perpendicular bank, at the foot of which run the clear waters of the Cluden, where they hasten to join the sweeping Nith,

'Whose distant roaring swells and fa's.'

As my kitchen and parlour were not very far distant, I one day went in to purchase some chickens from a person I heard offering them for sale. It was a little, rather stout-looking woman, who seemed to be between seventy and eighty years of age; she was almost covered with a tartan plaid, and her cap had over it a black silk hood, tied under the chin, a piece of dress still much in use among elderly women of that rank of life in Scotland; her eyes were dark, and remarkably lively and intelligent; I entered into conversation with her, and began by asking how she maintained herself, &c.

"She said that in winter she footed stockings, that is, knit feet to country-people's stockings, which bears about the same relation to stocking-knitting that cobbling does to shoe-making, and is of course both less profitable and less dignified; she likewise taught a few children to read, and in summer she whiles reared a few chickens.

"I said I could venture to guess from her face she had never been married. She laughed heartily at this, and said, 'I maun hae the queerest face that ever was seen, that ye could guess that. Now, do tell me, madam, how

ye cam to think sae?' I told her it was from her cheerful disengaged countenance. She said, 'Mem, have ye na far mair reason to be happy than me, wi' a gude husband and a fine family o' bairns, and plenty o' every thing? for me, I'm the puirest o' a' puir bodies, and can hardly contrive to keep mysell alive in a' the wee bits o' ways I hae tell't ye.' After some more conversation, during which I was more and more pleased with the old woman's sensible conversation, and the *naïveté* of her remarks, she rose to go away, when I asked her name. Her countenance suddenly clouded, and she said gravely, rather colouring, 'My name is Helen Walker; but your husband kens weel about me.'

"In the evening I related how much I had been pleased, and inquired what was extraordinary in the history of the poor woman. Mr. —— said, there were perhaps few more remarkable people than Helen Walker. She had been left an orphan, with the charge of a sister considerably younger than herself, and who was educated and maintained by her exertions. Attached to her by so many ties, therefore, it will not be easy to conceive her feelings, when she found that this only sister must be tried by the laws of her country for child-murder, and upon being called as principal witness against her. The counsel for the prisoner told Helen, that if she could declare that her sister had made any preparation, however slight, or had given her any intimation on the subject, that such a statement would save her sister's life, as she was the principal witness against her. Helen said, 'It is impossible for me to swear to a falsehood; and whatever may be the consequence, I will give my oath according to my conscience.'

"The trial came on, and the sister was found guilty

and condemned; but, in Scotland, six weeks must elapse between the sentence and the execution, and Helen Walker availed herself of it. The very day of her sister's condemnation, she got a petition drawn, stating the peculiar circumstances of the case, and that very night set out on foot to London.

"Without introduction or recommendation, with her simple (perhaps ill-expressed) petition, drawn up by some inferior clerk of the court, she presented herself, in her tartan plaid and country attire, to the late Duke of Argyle, who immediately procured the pardon she petitioned for, and Helen returned with it on foot, just in time to save her sister.

"I was so strongly interested by this narrative, that I determined immediately to prosecute my acquaintance with Helen Walker; but as I was to leave the country next day, I was obliged to defer it till my return in spring, when the first walk I took was to Helen Walker's cottage.

"She had died a short time before. My regret was extreme, and I endeavoured to obtain some account of Helen from an old woman who inhabited the other end of her cottage. I inquired if Helen ever spoke of her past history, her journey to London, &c., 'Na,' the old woman said, 'Helen was a wily body, and whene'er ony o' the neebors asked any thing about it, she aye turned the conversation.'

"In short, every answer I received only tended to increase my regret, and raise my opinion of Helen Walker, who could unite so much prudence with so much heroic virtue."

This narrative was enclosed in the following letter to the author, without date or signature:—

"Sir,—The occurrence just related happened to me twenty-six years ago. Helen Walker lies buried in the churchyard of Irongray, about six miles from Dumfries. I once proposed that a small monument should have been erected to commemorate so remarkable a character, but I now prefer leaving it to you to perpetuate her memory in a more durable manner."

The reader is now able to judge how far the author has improved upon, or fallen short of, the pleasing and interesting sketch of high principle and steady affection displayed by Helen Walker, the prototype of the fictitious Jeanie Deans. Mrs. Goldie was unfortunately dead before the author had given his name to these volumes, so he lost all opportunity of thanking that lady for her highly valuable communication. But her daughter, Miss Goldie, obliged him with the following additional information:—

"Mrs. Goldie endeavoured to collect further particulars of Helen Walker, particularly concerning her journey to London, but found this nearly impossible; as the natural dignity of her character, and a high sense of family respectability, made her so indissolubly connect her sister's disgrace with her own exertions, that none of her neighbours durst ever question her upon the subject. One old woman, a distant relation of Helen's, and who is still living, says she worked an harvest with her, but that she never ventured to ask her about her sister's trial, or her journey to London; 'Helen,' she added, 'was a lofty body, and used a high style o' language.' The same old woman says, that every year Helen received a cheese from her sister, who lived at Whitehaven, and that she always sent a liberal portion of it to herself, or to her father's family. This fact, though trivial in itself, strongly

marks the affection subsisting between the two sisters, and the complete conviction on the mind of the criminal, that her sister had acted solely from high principle, not from any want of feeling, which another small but characteristic trait will further illustrate. A gentleman, a relation of Mrs. Goldie's, who happened to be travelling in the North of England, on coming to a small inn, was shown into the parlour by a female servant, who, after cautiously shutting the door, said, 'Sir, I'm Nelly Walker's sister.' Thus practically shewing that she considered her sister as better known by her high conduct, than even herself by a different kind of celebrity.

"Mrs. Goldie was extremely anxious to have a tombstone and an inscription upon it, erected in Irongray churchyard; and if Sir Walter Scott will condescend to write the last, a little subscription could be easily raised in the immediate neighbourhood, and Mrs. Goldie's wish be thus fulfilled."

It is scarcely necessary to add, that the request of Miss Goldie will be most willingly complied with, and without the necessity of any tax on the public. Nor is there much occasion to repeat how much the author conceives himself obliged to his unknown correspondent, who thus supplied him with a theme affording such a pleasing view of the moral dignity of virtue, though unaided by birth, beauty, or talent. If the picture has suffered in the execution, it is from the failure of the author's powers to present in detail the same simple and striking portrait, exhibited in Mrs. Goldie's letter.

Abbotsford, *April* 1, 1830.

POSTSCRIPT.

Although it would be impossible to add much to Mrs. Goldie's picturesque and most interesting account of Helen Walker, the prototype of the imaginary Jeanie Deans, the Editor may be pardoned for introducing two or three anecdotes respecting that excellent person, which he has collected from a volume entitled, "Sketches from Nature, by John M'Diarmid," a gentleman who conducts an able provincial paper in the town of Dumfries.

Helen was the daughter of a small farmer in a place called Dalwhairn, in the parish of Irongray; where, after the death of her father, she continued, with the unassuming piety of a Scottish peasant, to support her mother by her own unremitted labour and privations; a case so common, that even yet, I am proud to say, few of my countrywomen would shrink from the duty.

Helen Walker was held among her equals *pensy*, that is, proud or conceited; but the facts brought to prove this accusation seem only to evince a strength of character superior to those around her. Thus it was remarked, that when it thundered, she went with her work and her Bible to the front of the cottage, alleging that the Almighty could smite in the city as well as in the field.

Mr. M'Diarmid mentions more particularly the misfortune of her sister, which he supposes to have taken place previous to 1736. Helen Walker, declining every pro-

posal of saving her relation's life at the expense of truth, borrowed a sum of money sufficient for her journey, walked the whole distance to London barefoot, and made her way to John Duke of Argyle. She was heard to say, that, by the Almighty strength, she had been enabled to meet the Duke at the most critical moment, which, if lost, would have caused the inevitable forfeiture of her sister's life.

Isabella, or Tibby Walker, saved from the fate which impended over her, was married by the person who had wronged her, (named Waugh,) and lived happily for great part of a century, uniformly acknowledging the extraordinary affection to which she owed her preservation.

Helen Walker died about the end of the year 1791, and her remains are interred in the churchyard of her native parish of Irongray, in a romantic cemetery on the banks of the Cairn. That a character so distinguished for her undaunted love of virtue, lived and died in poverty, if not want, serves only to shew us how insignificant, in the sight of Heaven, are our principal objects of ambition upon earth.

TO THE BEST OF PATRONS,

A PLEASED AND INDULGENT READER,

JEDEDIAH CLEISHBOTHAM

WISHES HEALTH, AND INCREASE, AND CONTENTMENT.

Courteous Reader,

If ingratitude comprehendeth every vice, surely so foul a stain worst of all beseemeth him whose life has been devoted to instructing youth in virtue and in humane letters. Therefore have I chosen, in this prolegomenon, to unload my burden of thanks at thy feet, for the favour with which thou hast kindly entertained the Tales of my Landlord. Certes, if thou hast chuckled over their facetious and festivous descriptions, or hadst thy mind filled with pleasure at the strange and pleasant turns of fortune which they record, verily, I have also simpered when I beheld a second story with attics, that has arisen on the basis of my small domicile at Gandercleugh, the walls having been aforehand pronounced by Deacon Barrow to be capable of enduring such an elevation. Nor has it been without delectation, that I have endued a new coat, (snuff-brown, and with metal buttons,) having all nether garments corresponding thereto. We do there-

fore lie, in respect to each other, under a reciprocation of benefits, whereof those received by me being the most solid, (in respect that a new house and a new coat are better than a new tale and an old song,) it is meet that my gratitude should be expressed with the louder voice and more preponderating vehemence. And how should it be so expressed?—Certainly not in words only, but in act and deed. It is with this sole purpose, and disclaiming all intention of purchasing that pendicle or poffle of land called the Carlinescroft, lying adjacent to my garden, and measuring seven acres, three roods, and four perches, that I have committed to the eyes of those who thought well of the former tomes, these four additional volumes of the Tales of my Landlord. Not the less, if Peter Prayfort be minded to sell the said poffle, it is at his own choice to say so; and, peradventure, he may meet with a purchaser: unless (gentle reader) the pleasing pourtraictures of Peter Pattieson, now given unto thee in particular, and unto the public in general, shall have lost their favour in thine eyes, whereof I am no way distrustful. And so much confidence do I repose in thy continued favour, that, should thy lawful occasions call thee to the town of Gandercleugh, a place frequented by most at one time or other in their lives, I will enrich thine eyes with a sight of those precious manuscripts whence thou hast derived so much delectation, thy nose with a snuff from my mull, and thy palate with a dram from my bottle of strong waters, called by the learned of Gandercleugh, the Dominie's Dribble o' Drink.

It is there, O highly esteemed and beloved reader, thou wilt be able to bear testimony, through the medium of thine own senses, against the children of vanity, who have sought to identify thy friend and servant with I

know not what inditer of vain fables; who hath cumbered the world with his devices, but shrunken from the responsibility thereof. Truly, this hath been well termed a generation hard of faith; since what can a man do to assert his property in a printed tome, saving to put his name in the title-page thereof, with his description, or designation, as the lawyers term it, and place of abode? Of a surety I would have such sceptics consider how they themselves would brook to have their works ascribed to others, their names and professions imputed as forgeries, and their very existence brought into question; even although, peradventure, it may be it is of little consequence to any but themselves, not only whether they are living or dead, but even whether they ever lived or no. Yet have my maligners carried their uncharitable censures still farther.

These cavillers have not only doubted mine identity, although thus plainly proved, but they have impeached my veracity and the authenticity of my historical narratives! Verily, I can only say in answer, that I have been cautelous in quoting mine authorities. It is true, indeed, that if I had hearkened with only one ear, I might have rehearsed my tale with more acceptation from those who love to hear but half the truth. It is, it may hap, not altogether to the discredit of our kindly nation of Scotland, that we are apt to take an interest, warm, yea partial, in the deeds and sentiments of our forefathers. He whom his adversaries describe as a perjured Prelatist, is desirous that his predecessors should be held moderate in their power, and just in their execution of its privileges, when, truly, the unimpassioned peruser of the annals of those times shall deem them sanguinary, violent, and tyrannical. Again, the representatives of the suffering

Nonconformists desire that their ancestors, the Cameronians, shall be represented not simply as honest enthusiasts, oppressed for conscience-sake, but persons of fine breeding, and valiant heroes. Truly, the historian cannot gratify these predilections. He must needs describe the cavaliers as proud and high-spirited, cruel, remorseless, and vindictive; the suffering party as honourably tenacious of their opinions under persecution; their own tempers being, however, sullen, fierce, and rude; their opinions absurd and extravagant; and their whole course of conduct that of persons whom hellebore would better have suited than prosecutions unto death for high-treason. Natheless, while such and so preposterous were the opinions on either side, there were, it cannot be doubted, men of virtue and worth on both, to entitle either party to claim merit from its martyrs. It has been demanded of me, Jedediah Cleishbotham, by what right I am entitled to constitute myself an impartial judge of their discrepancies of opinions, seeing (as it is stated) that I must necessarily have descended from one or other of the contending parties, and be, of course, wedded for better or for worse, according to the reasonable practice of Scotland, to its dogmata, or opinions, and bound, as it were, by the tie matrimonial, or to speak without metaphor, *ex jure sanguinis*, to maintain them in preference to all others.

But, nothing denying the rationality of the rule, which calls on all now living to rule their political and religious opinions by those of their great grandfathers, and inevitable as seems the one or the other horn of the dilemma betwixt which my adversaries conceive they have pinned me to the wall, I yet spy some means of refuge, and claim a privilege to write and speak of both parties with

impartiality. For, O ye powers of logic! when the Prelatists and Presbyterians of old times went together by the ears in this unlucky country, my ancestor (venerated be his memory!) was one of the people called Quakers, and suffered severe handling from either side, even to the extenuation of his purse and the incarceration of his person.

Craving thy pardon, gentle Reader, for these few words concerning me and mine, I rest, as above expressed, thy sure and obligated friend.* J. C.

GANDERCLEUGH,
this 1st of April, 1818.

* It is an old proverb, that "many a true word is spoken in jest." The existence of Walter Scott, third son of Sir William Scott of Harden, is instructed, as it is called, by a charter under the great seal, Domino Willielmo Scott de Harden Militi, et Waltero Scott suo filio legitimo tertio genito, terrarum de Roberton.† The munificent old gentleman left all his four sons considerable estates, and settled those of Eilrig and Raeburn, together with valuable possessions around Lessuden, upon Walter, his third son, who is ancestor of the Scotts of Raeburn, and of the Author of Waverley. He appears to have become a convert to the doctrine of the Quakers, or Friends, and a great assertor of their peculiar tenets. This was probably at the time when George Fox, the celebrated apostle of the sect, made an expedition into the south of Scotland about 1657, on which occasion he boasts, that "as he first set his horse's feet upon Scottish ground, he felt the seed of grace to sparkle about him like innumerable sparks of fire." Upon the same occasion, probably, Sir Gideon Scott of Highchester, second son of Sir William, immediate elder brother of Walter, and ancestor of the author's friend and kinsman, the present representative of the family of Harden, also embraced the tenets of Quakerism. This last convert, Gideon, entered into a controversy with the Rev. James Kirkton, author of the Secret and True History of the Church of Scotland, which is noticed by my ingenious friend Mr. Charles Kirkpatrick Sharpe, in his valuable and curious edition of that work 4to, 1817. Sir William Scott, eldest of the brothers, remained, amid the defection of his two younger brethren, an orthodox

† See Douglas's Baronage, page 215.

member of the Presbyterian Church, and used such means for reclaiming Walter of Raeburn from his heresy, as savoured far more of persecution than persuasion. In this he was assisted by MacDougal of Makerston, brother to Isabella MacDougal, the wife of the said Walter, and who, like her husband, had conformed to the Quaker tenets.

The interest possessed by Sir William Scott and Makerston was powerful enough to procure the two following acts of the Privy Council of Scotland, directed against Walter of Raeburn as an heretic and convert to Quakerism, appointing him to be imprisoned first in Edinburgh jail, and then in that of Jedburgh; and his children to be taken by force from the society and direction of their parents, and educated at a distance from them, besides the assignment of a sum for their maintenance, sufficient in those times to be burdensome to a moderate Scottish estate.

"Apud Edin., vigesimo Junii 1665.

"The Lords of his Magesty's Privy Council having receaved information that Scott of Raeburn, and Isobel Mackdougall, his wife, being infected with the error of Quakerism, doe endeavour to breid and traine up William, Walter, and Isobel Scotts, their children, in the same profession, doe therefore give order and command to Sir William Scott of Harden, the said Raeburn's brother, to seperat and take away the saids children from the custody and society of the saids parents, and to cause educat and bring them up in his owne house, or any other convenient place, and ordaines letters to be direct at the said Sir William's instance against Raeburn, for a maintenance to the saids children, and that the said Sir Wm. give ane account of his diligence with all conveniency."

"Edinburgh, 5th July 1666.

"Anent a petition presented be Sir Wm. Scott of Harden, for himself and in name and behalf of the three children of Walter Scott of Raeburn, his brother, showing that the Lords of Councill, by ane act of the 22d day of Junii, 1665, did grant power and warrand to the petitioner, to separat and take away Raeburn's children, from his family and education, and to breed them in some convenient place, where they might be free from all infection in their younger years, from the principalls of Quakerism, and, for maintenance of the saids children, did ordain letters to be direct against Raeburn; and, seeing the Petitioner, in obedience to the said order, did take away the saids children, being two sonnes and a daughter, and after some paines taken upon them in his owne family, hes sent them to the city of Glasgow, to be bread at schooles, and there to be principled with the

knowledge of the true religion, and that it is necessary the Councill determine what shall be the maintenance for which Raeburn's three children may be charged, as likewise that Raeburn himself, being now in the Tolbooth of Edinburgh, where he dayley converses with all the Quakers who are prisoners there, and others who daily resort to them, whereby he is hardened in his pernitious opinions and principles, without all hope of recovery, unlesse he be separat from such pernitious company, humbly therefore, desyring that the Councell might determine upon the soume of money to be payed be Raeburn, for the education of his children, to the petitioner, who will be countable therefor; and that, in order to his conversion, the place of his imprisonment may be changed. The Lords of his Maj. Privy Councell having at length heard and considered the foresaid petition, doe modifie the soume of two thousand pounds Scots, to be payed yearly at the terme of Whitsunday be the said Walter Scott of Raeburn, furth of his estate to the petitioner, for the entertainment and education of the said children, beginning the first termes payment therof at Whitsunday last for the half year preceding, and so furth yearly, at the said terme of Whitsunday in tym comeing till furder orders; and ordaines the said Walter Scott of Raeburn to be transported from the tolbooth of Edinburgh to the prison of Jedburgh, where his friends and others may have occasion to convert him. And to the effect he may be secured from the practice of other Quakers, the said Lords doe hereby discharge the magistrates of Jedburgh to suffer any persons suspect of these principles to have access to him; and in case any contraveen, that they secure ther persons till they be therfore puneist; and ordaines letters to be direct heirupon in form, as effeirs."

Both the sons, thus harshly separated from their father, proved good scholars. The eldest, William, who carried on the line of Raeburn, was, like his father, a deep Orientalist; the younger, Walter, became a good classical scholar, a great friend and correspondent of the celebrated Dr. Pitcairn, and a Jacobite so distinguished for zeal, that he made a vow never to shave his beard till the restoration of the exiled family. This last Walter Scott was the author's great-grandfather.

There is yet another link betwixt the author and the simple-minded and excellent Society of Friends, through a proselyte of much more importance than Walter Scott of Raeburn. The celebrated John Swinton, of Swinton, xixth baron in descent of that ancient and once powerful family, was, with Sir William Lockhart of Lee, the person whom Cromwell chiefly trusted in the management of the Scottish affairs during his usurpation. After the Restoration, Swinton was devoted as a victim to the new order of things, and was brought down in the same vessel which conveyed the Marquis of Argyle to Edin-

burgh, where that nobleman was tried and executed. Swinton was destined to the same fate. He had assumed the habit, and entered into the Society of the Quakers, and appeared as one of their number before the Parliament of Scotland. He renounced all legal defence, though several pleas were open to him, and answered, in conformity to the principles of his sect, that at the time these crimes were imputed to him, he was in the gall of bitterness and bond of iniquity; but that God Almighty having since called him to the light, he saw and acknowledged these errors, and did not refuse to pay the forfeit of them, even though, in the judgment of the Parliament, it should extend to life itself.

Respect to fallen greatness, and to the patience and calm resignation with which a man once in high power expressed himself under such a change of fortune, found Swinton friends; family connexions, and some interested considerations of Middleton the Commissioner, joined to procure his safety, and he was dismissed, but after a long imprisonment, and much dilapidation of his estates. It is said, that Swinton's admonitions, while confined in the Castle of Edinburgh, had a considerable share in converting to the tenets of the Friends Colonel David Barclay, then lying there in the garrison. This was the father of Robert Barclay, author of the celebrated Apology for the Quakers. It may be observed among the inconsistencies of human nature, that Kirkton, Wodrow, and other Presbyterian authors, who have detailed the sufferings of their own sect for non-conformity with the established church, censure the government of the time for not exerting the civil power against the peaceful enthusiasts we have treated of, and some express particular chagrin at the escape of Swinton. Whatever might be his motives for assuming the tenets of the Friends, the old man retained them faithfully till the close of his life.

Jean Swinton, grand-daughter of Sir John Swinton, son of Judge Swinton, as the Quaker was usually termed, was mother of Anne Rutherford, the author's mother.

And thus, as in the play of the Anti-Jacobin, the ghost of the author's grandmother having arisen to speak the Epilogue, it is full time to conclude, lest the reader should remonstrate that his desire to know the Author of Waverley never included a wish to be acquainted with his whole ancestry.

THE

HEART OF MID-LOTHIAN.

CHAPTER I.

BEING INTRODUCTORY.

> So down thy hill, romantic Ashbourn, glides
> The Derby dilly, carrying six insides.
>
> FRERE.

THE times have changed in nothing more (we follow as we were wont the manuscript of Peter Pattieson) than in the rapid conveyance of intelligence and communication betwixt one part of Scotland and another. It is not

above twenty or thirty years, according to the evidence of many credible witnesses now alive, since a little miserable horse-cart, performing with difficulty a journey of thirty miles *per diem*, carried our mails from the capital of Scotland to its extremity. Nor was Scotland much more deficient in these accommodations than our rich sister had been about eighty years before. Fielding, in his Tom Jones, and Farquhar, in a little farce called the Stage-Coach, have ridiculed the slowness of these vehicles of public accommodation. According to the latter authority, the highest bribe could only induce the coachman to promise to anticipate by half an hour the usual time of his arrival at the Bull and Mouth.

But in both countries these ancient, slow, and sure modes of conveyance are now alike unknown; mail-coach races against mail-coach, and high-flyer against high-flyer, through the most remote districts of Britain. And in our village alone, three post-coaches, and four coaches with men armed, and in scarlet cassocks, thunder through the streets each day, and rival in brilliancy and noise the invention of the celebrated tyrant:—

Demens, qui nimbos et non imitabile fulmen,
Ære et cornipedum pulsu, simularat, equorum.

Now and then, to complete the resemblance, and to correct the presumption of the venturous charioteers, it does happen that the career of these dashing rivals of Salmoneus meets with as undesirable and violent a termination as that of their prototype. It is on such occasions that the Insides and Outsides, to use the appropriate vehicular phrases, have reason to rue the exchange of the slow and safe motion of the ancient Fly-coaches, which, compared with the chariots of Mr. Palmer, so ill

deserve the name. The ancient vehicle used to settle quietly down, like a ship scuttled and left to sink by the gradual influx of the waters, while the modern is smashed to pieces with the velocity of the same vessel hurled against breakers, or rather with the fury of a bomb bursting at the conclusion of its career through the air. The late ingenious Mr. Pennant, whose humour it was to set his face in stern opposition to these speedy conveyances, had collected, I have heard, a formidable list of such casualties, which, joined to the imposition of innkeepers, whose charges the passengers had no time to dispute, the sauciness of the coachman, and the uncontrolled and despotic authority of the tyrant called the guard, held forth a picture of horror, to which murder, theft, fraud, and peculation, lent all their dark colouring. But that which gratifies the impatience of the human disposition will be practised in the teeth of danger, and in defiance of admonition; and, in despite of the Cambrian antiquary, mail-coaches not only roll their thunders round the base of Penman-Maur and Cader-Edris, but

> Frighted Skiddaw hears afar
> The rattling of the unscythed car.

And perhaps the echoes of Ben-Nevis may soon be awakened by the bugle, not of a warlike chieftain, but of the guard of a mail-coach.

It was a fine summer day, and our little school had obtained a half holiday, by the intercession of a good-humoured visitor.* I expected by the coach a new number of an interesting periodical publication, and walked forward on the highway to meet it, with the impatience

* His honour Gilbert Goslinn of Gandercleugh; for I love to be precise in matters of importance.—J. C.

which Cowper has described as actuating the resident in the country, when longing for intelligence from the mart of news:—

> ———The grand debate,
> The popular harangue,—the tart reply,—
> The logic, and the wisdom, and the wit,
> And the loud laugh,—I long to know them all;—
> I burn to set the imprisoned wranglers free,
> And give them voice and utterance again.

It was with such feelings that I eyed the approach of the new coach, lately established on our road, and known by the name of the Somerset, which, to say truth, possesses some interest for me, even when it conveys no such important information. The distant tremulous sound of its wheels was heard just as I gained the summit of the gentle ascent, called the Goslin-brae, from which you command an extensive view down the valley of the river Gander. The public road, which comes up the side of that stream, and crosses it at a bridge about a quarter of a mile from the place where I was standing, runs partly through enclosures and plantations, and partly through open pasture land. It is a childish amusement perhaps, —but my life has been spent with children, and why should not my pleasures be like theirs?—childish as it is then, I must own I have had great pleasure in watching the approach of the carriage, where the openings of the road permit it to be seen. The gay glancing of the equipage, its diminished and toy-like appearance at a distance, contrasted with the rapidity of its motion, its appearance and disappearance at intervals, and the progressively increasing sounds that announce its nearer approach, have all to the idle and listless spectator, who has nothing more important to attend to, something of awakening interest. The ridicule may attach to me, which

is flung upon many an honest citizen, who watches from the window of his villa the passage of the stage-coach; but it is a very natural source of amusement notwithstanding, and many of those who join in the laugh are perhaps not unused to resort to it in secret.

On the present occasion, however, fate had decreed that I should not enjoy the consummation of the amusement by seeing the coach rattle past me, as I sat on the turf, and hearing the hoarse grating voice of the guard as he skimmed forth for my grasp the expected packet, without the carriage checking its course for an instant. I had seen the vehicle thunder down the hill that leads to the bridge with more than its usual impetuosity, glittering all the while by flashes from a cloudy tabernacle of the dust which it had raised, and leaving a train behind it on the road resembling a wreath of summer mist. But it did not appear on the top of the nearer bank within the usual space of three minutes, which frequent observation had enabled me to ascertain was the medium time for crossing the bridge and mounting the ascent. When double that space had elapsed, I became alarmed, and walked hastily forward. As I came in sight of the bridge, the cause of delay was too manifest, for the Somerset had made a summerset in good earnest, and overturned so completely, that it was literally resting upon the ground, with the roof undermost, and the four wheels in the air. The "exertions of the guard and coachman," both of whom were gratefully commemorated in the newspapers, having succeeded in disentangling the horses by cutting the harness, were now proceeding to extricate the *insides* by a sort of summary and Cæsarean process of delivery, forcing the hinges from one of the doors which they could not open otherwise. In this manner

were two disconsolate damsels set at liberty from the womb of the leathern conveniency. As they immediately began to settle their clothes, which were a little deranged, as may be presumed, I concluded they had received no injury, and did not venture to obtrude my services at their toilette, for which, I understand, I have since been reflected upon by the fair sufferers. The *outsides*, who must have been discharged from their elevated situation by a shock resembling the springing of a mine, escaped, nevertheless, with the usual allowance of scratches and bruises, excepting three, who, having been pitched into the river Gander, were dimly seen contending with the tide, like the relics of Æneas's shipwreck,—

Rari apparent nantes in gurgite vasto.

I applied my poor exertions where they seemed to be most needed, and with the assistance of one or two of the company who had escaped unhurt, easily succeeded in fishing out two of the unfortunate passengers, who were stout active young fellows; and, but for the preposterous length of their great-coats, and the equally fashionable latitude and longitude of their Wellington trousers, would have required little assistance from any one. The third was sickly and elderly, and might have perished but for the efforts used to preserve him.

When the two great-coated gentlemen had extricated themselves from the river, and shaken their ears like huge water-dogs, a violent altercation ensued betwixt them and the coachman and guard, concerning the cause of their overthrow. In the course of the squabble, I observed that both my new acquaintances belonged to the law, and that their professional sharpness was likely to prove an overmatch for the surly and official tone of

the guardians of the vehicle. The dispute ended in the guard assuring the passengers that they should have seats in a heavy coach which would pass that spot in less than half an hour, provided it were not full. Chance seemed to favour this arrangement, for when the expected vehicle arrived, there were only two places occupied in a carriage which professed to carry six. The two ladies who had been disinterred out of the fallen vehicle were readily admitted, but positive objections were stated by those previously in possession to the admittance of the two lawyers, whose wetted garments being much of the nature of well-soaked spunges, there was every reason to believe they would refund a considerable part of the water they had collected, to the inconvenience of their fellow-passengers. On the other hand, the lawyers rejected a seat on the roof, alleging that they had only taken that station for pleasure for one stage, but were entitled in all respects to free egress and regress from the interior, to which their contract positively referred. After some altercation, in which something was said upon the edict *Nautæ caupones stabularii*, the coach went off, leaving the learned gentlemen to abide by their action of damages.

They immediately applied to me to guide them to the next village and the best inn; and from the account I gave them of the Wallace-Head, declared they were much better pleased to stop there than to go forward upon the terms of that impudent scoundrel the guard of the Somerset. All that they now wanted was a lad to carry their travelling bags, who was easily procured from an adjoining cottage; and they prepared to walk forward, when they found there was another passenger in the same deserted situation with themselves. This was

the elderly and sickly looking person, who had been precipitated into the river along with the two young lawyers. He, it seems, had been too modest to push his own plea against the coachman when he saw that of his betters rejected, and now remained behind with a look of timid anxiety, plainly intimating that he was deficient in those means of recommendation which are necessary passports to the hospitality of an inn.

I ventured to call the attention of the two dashing young blades, for such they seemed, to the desolate condition of their fellow-traveller. They took the hint with ready good-nature.

"O true, Mr. Dunover," said one of the youngsters, "you must not remain on the pavé here; you must go and have some dinner with us—Halkit and I must have a post-chaise to go on, at all events, and we will set you down wherever suits you best."

The poor man, for such his dress, as well as his diffidence, bespoke him, made the sort of acknowledging bow by which says a Scotsman, "It's too much honour for the like of me;" and followed humbly behind his gay patrons, all three besprinkling the dusty road as they walked along with the moisture of their drenched garments, and exhibiting the singular and somewhat ridiculous appearance of three persons suffering from the opposite extreme of humidity, while the summer sun was at its height, and everything else around them had the expression of heat and drought. The ridicule did not escape the young gentlemen themselves, and they had made what might be received as one or two tolerable jests on the subject before they had advanced far on their perigrination.

"We cannot complain, like Cowley," said one of them, "that Gideon's fleece remains dry, while all around is moist; this is the reverse of the miracle."

"We ought to be received with gratitude in this good town; we bring a supply of what they seem to need most," said Halkit.

"And distribute it with unparalleled generosity," replied his companion; "performing the part of three water-carts for the benefit of their dusty roads."

"We come before them, too," said Halkit, "in full professional force—counsel and agent—"

"And client," said the young advocate, looking behind him. And then added, lowering his voice, "that looks as if he had kept such dangerous company too long."

It was, indeed, too true, that the humble follower of the gay young men had the threadbare appearance of a worn-out litigant, and I could not but smile at the conceit, though anxious to conceal my mirth from the object of it.

When we arrived at the Wallace Inn, the elder of the Edinburgh gentlemen, and whom I understood to be a barrister, insisted that I should remain and take part of their dinner; and their inquiries and demands speedily put my landlord and his whole family in motion to produce the best cheer which the larder and cellar afforded, and proceed to cook it to the best advantage, a science in which our entertainers seemed to be admirably skilled. In other respects they were lively young men, in the heyday of youth and good spirits, playing the part which is common to the higher classes of the law at Edinburgh, and which nearly resembles that of the young Templars in the days of Steele and Addison. An air of giddy gaiety mingled with the good sense, taste, and information which their conversation exhibited; and it seemed to be their object to unite the character of men of fashion and lovers of the polite arts. A fine gentleman, bred up in

the thorough idleness and inanity of pursuit, which I understand is absolutely necessary to the character in perfection, might in all probability have traced a tinge of professional pedantry which marked the barrister in spite of his efforts, and something of active bustle in his companion, and would certainly have detected more than a fashionable mixture of information and animated interest in the language of both. But to me, who had no pretensions to be so critical, my companions seemed to form a very happy mixture of good-breeding and liberal information, with a disposition to lively rattle, pun, and jest, amusing to a grave man, because it is what he himself can least easily command.

The thin pale-faced man, whom their good-nature had brought into their society, looked out of place as well as out of spirits; sate on the edge of his seat, and kept the chair at two feet distance from the table; thus incommoding himself considerably in conveying the victuals to his mouth, as if by way of penance, for partaking of them in the company of his superiors. A short time after dinner, declining all entreaty to partake of the wine, which circulated freely round, he informed himself of the hour when the chaise had been ordered to attend; and saying he would be in readiness, modestly withdrew from the apartment.

"Jack," said the barrister to his companion, "I remember that poor fellow's face; you spoke more truly than you were aware of; he really is one of my clients, poor man."

"Poor man!" echoed Halkit—"I suppose you mean he is your one and only client?"

"That's not my fault, Jack," replied the other, whose name I discovered was Hardie. "You are to give me

all your business, you know; and if you have none, the learned gentleman here knows nothing can come of nothing."

"You seem to have brought something to nothing though, in the case of that honest man. He looks as if he were just about to honour with his residence the HEART OF MID-LOTHIAN."

"You are mistaken—he is just delivered from it.—Our friend here looks for an explanation. Pray, Mr. Pattieson, have you been in Edinburgh?"

I answered in the affirmative.

"Then you must have passed, occasionally at least, though probably not so faithfully as I am doomed to do, through a narrow intricate passage, leading out of the north-west corner of the Parliament Square, and passing by a high and antique building with turrets and iron grates,

> Making good the saying odd,
> "Near the church and far from God—"

Mr. Halkit broke in upon his learned counsel, to contribute his moiety to the riddle—"Having at the door the sign of the Red Man——"

"And being on the whole," resumed the counsellor, interrupting his friend in his turn, "a sort of place where misfortune is happily confounded with guilt, where all who are in wish to get out——"

"And where none who have the good luck to be out, wish to get in," added his companion.

"I conceive you, gentlemen," replied I; "you mean the prison."

"The prison," added the young lawyer—"You have hit it—the very reverend Tolbooth itself; and let me tell

you, you are obliged to us for describing it with so much modesty and brevity; for with whatever amplifications we might have chosen to decorate the subject, you lay entirely at our mercy, since the Fathers Conscript of our city have decreed that the venerable edifice itself shall not remain in existence to confirm or to confute us."

"Then the Tolbooth of Edinburgh is called the Heart of Mid-Lothian?" said I.

"So termed and reputed, I assure you."

"I think," said I, with the bashful diffidence with which a man lets slip a pun in presence of his superiors, "the metropolitan county may, in that case, be said to have a sad heart."

"Right as my glove, Mr. Pattieson," added Mr. Hardie; "and a close heart, and a hard heart—Keep it up, Jack."

"And a wicked heart, and a poor heart," answered Halkit, doing his best.

"And yet it may be called in some sort a strong heart, and a high heart," rejoined the advocate. "You see I can put you both out of heart."

"I have played all my hearts," said the younger gentleman.

"Then we'll have another lead," answered his companion.—"And as to the old and condemned Tolbooth, what pity the same honour cannot be done to it as has been done to many of its inmates. Why should not the Tolbooth have its 'Last Speech, Confession, and Dying Words?' The old stones would be just as conscious of the honour as many a poor devil who has dangled like a tassel at the west end of it, while the hawkers were shouting a confession the culprit had never heard of."

"I am afraid," said I, "if I might presume to give

my opinion, it would be a tale of unvaried sorrow and guilt."

"Not entirely, my friend," said Hardie; "a prison is a world within itself, and has its own business, griefs, and joys, peculiar to its circle. Its inmates are sometimes short-lived, but so are soldiers on service; they are poor relatively to the world without, but there are degrees of wealth and poverty among them, and so some are relatively rich also. They cannot stir abroad, but neither can the garrison of a besieged fort, or the crew of a ship at sea; and they are not under a dispensation quite so desperate as either, for they may have as much food as they have money to buy, and are not obliged to work, whether they have food or not."

"But what variety of incident," said I, (not without a secret view to my present task,) "could possibly be derived from such a work as you are pleased to talk of?"

"Infinite," replied the young advocate. "Whatever of guilt, crime, imposture, folly, unheard-of misfortunes, and unlooked-for change of fortune, can be found to chequer life, my Last Speech of the Tolbooth, should illustrate with examples sufficient to gorge even the public's all-devouring appetite for the wonderful and horrible. The inventor of fictitious narratives has to rack his brains for means to diversify his tale, and after all can hardly hit upon characters or incidents which have not been used again and again, until they are familiar to the eye of the reader, so that the development, *enlèvement*, the desperate wound of which the hero never dies, the burning fever from which the heroine is sure to recover, become a mere matter of course. I join with my honest friend Crabbe, and have an unlucky propensity to

hope, when hope is lost, and to rely upon the cork-jacket, which carries the heroes of romance safe through all the billows of affliction." He then declaimed the following passage, rather with too much than too little emphasis:—

> Much have I feared, but am no more afraid,
> When some chaste beauty by some wretch betrayed,
> Is drawn away with such distracted speed,
> That she anticipates a dreadful deed.
> Not so do I—Let solid walls impound
> The captive fair, and dig a moat around;
> Let there be brazen locks and bars of steel,
> And keepers cruel, such as never feel;
> With not a single note the purse supply,
> And when she begs, let men and maids deny;
> Be windows there from which she dare not fall,
> And help so distant, 'tis in vain to call;
> Still means of freedom will some Power devise,
> And from the baffled ruffian snatch his prize.

"The end of uncertainty," he concluded, "is the death of interest; and hence it happens that no one now reads novels."

"Hear him, ye gods!" returned his companion. "I assure you, Mr. Pattieson, you will hardly visit this learned gentleman, but you are likely to find the new novel most in repute lying on his table,—snugly intrenched, however, beneath Stair's Institutes, or an open volume of Morrison's Decisions."

"Do I deny it?" said the hopeful jurisconsult, "or wherefore should I, since it is well known these Dalilahs seduce my wisers and my betters? May they not be found lurking amidst the multiplied memorials of our most distinguished counsel, and even peeping from under the cushion of a judge's arm-chair? Our seniors at the bar, within the bar, and even on the bench, read novels; and, if not belied, some of them have written novels into

the bargain. I only say, that I read from habit and from indolence, not from real interest; that, like Ancient Pistol devouring his leek, I read and swear till I get to the end of the narrative. But not so in the real records of human vagaries—not so in the State Trials, or in the Books of Adjournal, where every now and then you read new pages of the human heart, and turns of fortune far beyond what the boldest novelist ever attempted to produce from the coinage of his brain."

"And for such narratives," I asked, "you suppose the History of the Prison of Edinburgh might afford appropriate materials?"

"In a degree unusually ample, my dear sir," said Hardie —"Fill your glass, however, in the meanwhile. Was it not for many years the place in which the Scottish parliament met? Was it not James's place of refuge, when the mob, inflamed by a seditious preacher, broke forth on him with the cries of 'The sword of the Lord and of Gideon —bring forth the wicked Haman?' Since that time how many hearts have throbbed within these walls, as the tolling of the neighbouring bell announced to them how fast the sands of their life were ebbing; how many must have sunk at the sound—how many were supported by stubborn pride and dogged resolution—how many by the consolations of religion? Have there not been some, who, looking back on the motives of their crimes, were scarce able to understand how they should have had such temptation as to seduce them from virtue; and have there not, perhaps, been others, who, sensible of their innocence, were divided between indignation at the undeserved doom which they were to undergo, consciousness that they had not deserved it, and racking anxiety to discover some way in which they might yet vindicate themselves?

Do you suppose any of these deep, powerful, and agitating feelings, can be recorded and perused without exciting a corresponding depth of deep, powerful, and agitating interest?—Oh! do but wait till I publish the *Causes Célèbres* of Caledonia, and you will find no want of a novel or a tragedy for some time to come. The true thing will triumph over the brightest inventions of the most ardent imagination. *Magna est veritas, et prævalebit.*"

"I have understood," said I, encouraged by the affability of my rattling entertainer, "that less of this interest must attach to Scottish jurisprudence than to that of any other country. The general morality of our people, their sober and prudent habits——"

"Secure them," said the barrister, "against any great increase of professional thieves and depredators, but not against wild and wayward starts of fancy and passion, producing crimes of an extraordinary description, which are precisely those to the detail of which we listen with thrilling interest. England has been much longer a highly civilized country; her subjects have been very strictly amenable to laws administered without fear or favour, a complete division of labour has taken place among her subjects, and the very thieves and robbers form a distinct class in society, subdivided among themselves according to the subject of the depredations, and the mode in which they carry them on, acting upon regular habits and principles, which can be calculated and anticipated at Bow Street, Hatton Garden, or the Old Bailey. Our sister kingdom is like a cultivated field,—the farmer expects that, in spite of all his care, a certain number of weeds will rise with the corn, and can tell you beforehand their names and appearance. But Scotland is like one of her own Highland glens, and the

moralist who reads the records of her criminal jurisprudence, will find as many curious anomalous facts in the history of mind, as the botanist will detect rare specimens among her dingles and cliffs."

"And that's all the good you have obtained from three perusals of the Commentaries on Scottish Criminal Jurisprudence?" said his companion. "I suppose the learned author very little thinks that the facts which his erudition and acuteness have accumulated for the illustration of legal doctrines, might be so arranged as to form a sort of appendix to the half-bound and slip-shod volumes of the circulating library."

"I'll bet you a pint of claret," said the elder lawyer, "that he will not feel sore at the comparison. But as we say at the bar, 'I beg I may not be interrupted;' I have much more to say, upon my Scottish collection of *Causes Célèbres*. You will please recollect the scope and motive given for the contrivance and execution of many extraordinary and daring crimes, by the long civil dissensions of Scotland—by the hereditary jurisdictions, which, until 1748, rested the investigation of crimes in judges, ignorant, partial, or interested—by the habits of the gentry, shut up in their distant and solitary mansion-houses, nursing their revengeful passions just to keep their blood from stagnating—not to mention that amiable national qualification, called the *perfervidum ingenium Scotorum*, which our lawyers join in alleging as a reason for the severity of some of our enactments. When I come to treat of matters so mysterious, deep, and dangerous, as these circumstances have given rise to, the blood of each reader shall be curdled, and his epidermis crisped into goose skin.—But, hist!—here comes the landlord, with tidings, I suppose, that the chaise is ready."

It was no such thing—the tidings bore, that no chaise could be had that evening, for Sir Peter Plyem had carried forward my landlord's two pairs of horses that morning to the ancient royal borough of Bubbleburgh, to look after his interest there. But as Bubbleburgh is only one of a set of five boroughs which club their shares for a member of parliament, Sir Peter's adversary had judiciously watched his departure, in order to commence a canvass in the no less royal borough of Bitem, which, as all the world knows, lies at the very termination of Sir Peter's avenue, and has been held in leading-strings by him and his ancestors for time immemorial. Now Sir Peter was thus placed in the situation of an ambitious monarch, who, after having commenced a daring inroad into his enemy's territories, is suddenly recalled by an invasion of his own hereditary dominions. He was obliged in consequence to return from the half-won borough of Bubbleburgh, to look after the half-lost borough of Bitem, and the two pairs of horses which had carried him that morning to Bubbleburgh, were now forcibly detained to transport him, his agent, his valet, his jester, and his hard-drinker, across the country to Bitem. The cause of this detention, which to me was of as little consequence as it may be to the reader, was important enough to my companions to reconcile them to the delay. Like eagles, they smelled the battle afar off, ordered a magnum of claret and beds at the Wallace, and entered at full career into the Bubbleburgh and Bitem politics, with all the probable "petitions and complaints" to which they were likely to give rise.

In the midst of an anxious, animated, and, to me, most unintelligible discussion, concerning provost, bailies, deacons, sets of boroughs, leets, town-clerks, burgesses

resident and nonresident, all of a sudden the lawyer recollected himself. "Poor Dunover, we must not forget him;" and the landlord was despatched in quest of the *pauvre honteux*, with an earnestly civil invitation to him for the rest of the evening. I could not help asking the young gentlemen if they knew the history of this poor man; and the counsellor applied himself to his pocket to recover the memorial or brief from which he had stated his cause.

"He has been a candidate for our *remedium miserabile*," said Mr. Hardie, "commonly called a *cessio bonorum*. As there are divines who have doubted the eternity of future punishments, so the Scotch lawyers seem to have thought that the crime of poverty might be atoned for by something short of perpetual imprisonment. After a month's confinement, you must know, a prisoner for debt is entitled, on a sufficient statement to our Supreme Court, setting forth the amount of his funds, and the nature of his misfortunes, and surrendering all his effects to his creditors, to claim to be discharged from prison."

"I had heard," I replied, "of such a humane regulation."

"Yes," said Halkit, "and the beauty of it is, as the foreign fellow said, you may get the *cessio*, when the *bonorums* are all spent—But what, are you puzzling in your pockets to seek your only memorial among old playbills, letters requesting a meeting of the Faculty, rules of the Speculative Society, syllabus' of lectures—all the miscellaneous contents of a young advocate's pocket, which contains every thing but briefs and bank-notes? Can you not state a case of *cessio* without your memorial? Why it is done every Saturday. The events follow each other

as regularly as clock-work, and one form of condescendence might suit every one of them."

"This is very unlike the variety of distress which this gentleman stated to fall under the consideration of your judges," said I.

"True," replied Halkit; "but Hardie spoke of criminal jurisprudence, and this business is purely civil. I could plead a *cessio* myself without the inspiring honours of a gown and three-tailed periwig—Listen.—My client was bred a journeyman weaver—made some little money—took a farm—(for conducting a farm, like driving a gig, comes by nature)—late severe times—induced to sign bills with a friend, for which he received no value—landlord sequestrates—creditors accept a composition—pursuer sets up a public-house—fails a second time—is incarcerated for a debt of ten pounds seven shillings and sixpence—his debts amount to blank—his losses to blank—his funds to blank—leaving a balance of blank in his favour. There is no opposition; your lordships will please grant commission to take his oath."

Hardie now renounced this ineffectual search, in which there was perhaps a little affectation, and told us the tale of poor Dunover's distresses, with a tone in which a degree of feeling, which he seemed ashamed of as unprofessional, mingled with his attempts at wit, and did him more honour. It was one of those tales which seem to argue a sort of ill-luck or fatality attached to the hero. A well-informed, industrious, and blameless, but poor and bashful man, had in vain essayed all the usual means by which others acquire independence, yet had never succeeded beyond the attainment of bare subsistence. During a brief gleam of hope, rather than of actual prosperity, he had added a wife and family to his cares, but the dawn

was speedily overcast. Every thing retrograded with him towards the verge of the miry Slough of Despond, which yawns for insolvent debtors; and after catching at each twig, and experiencing the protracted agony of feeling them one by one elude his grasp, he actually sunk into the miry pit whence he had been extricated by the professional exertions of Hardie.

"And, I suppose, now you have dragged this poor devil ashore, you will leave him half naked on the beach to provide for himself?" said Halkit. "Hark ye,"—and he whispered something in his ear, of which the penetrating and insinuating words, "Interest with my Lord," alone reached mine.

"It is *pessimi exempli*," said Hardie, laughing, "to provide for a ruined client; but I was thinking of what you mention, provided it can be managed—But hush! here he comes."

The recent relation of the poor man's misfortunes had given him, I was pleased to observe, a claim to the attention and respect of the young men, who treated him with great civility, and gradually engaged him in a conversation, which, much to my satisfaction, again turned upon the *Causes Célèbres* of Scotland. Imboldened by the kindness with which he was treated, Mr. Dunover began to contribute his share to the amusement of the evening. Jails, like other places, have their ancient traditions, known only to the inhabitants, and handed down from one set of the melancholy lodgers to the next who occupy their cells. Some of these, which Dunover mentioned, were interesting, and served to illustrate the narratives of remarkable trials, which Hardie had at his finger ends, and which his companion was also well skilled in. This sort of conversation passed away the evening till the early hour when

Mr. Dunover chose to retire to rest, and I also retreated to take down memorandums of what I had learned, in order to add another narrative to those which it had been my chief amusement to collect, and to write out in detail. The two young men ordered a broiled bone, Madeira negus, and a pack of cards, and commenced a game at picquet.

Next morning the travellers left Gandercleugh. I afterwards learned from the papers that both have been since engaged in the great political cause of Bubbleburgh and Bitem, a summary case, and entitled to particular despatch; but which, it is thought, nevertheless, may outlast the duration of the parliament to which the contest refers. Mr. Halkit, as the newspapers informed me, acts as agent or solicitor; and Mr. Hardie opened for Sir Peter Plyem with singular ability, and to such good purpose, that I understand he has since had fewer play-bills and more briefs in his pocket. And both the young gentlemen deserve their good fortune; for I learned from Dunover, who called on me some weeks afterwards, and communicated the intelligence with tears in his eyes, that their interest had availed to obtain him a small office for the decent maintenance of his family; and that, after a train of constant and uninterrupted misfortune, he could trace a dawn of prosperity to his having the good fortune to be flung from the top of a mail-coach into the river Gander, in company with an advocate and a writer to the signet. The reader will not perhaps deem himself equally obliged to the accident, since it brings upon him the following narrative, founded upon the conversation of the evening.

CHAPTER II.

Whoe'er's been at Paris must needs know the Grève,
The fatal retreat of the unfortunate brave,
Where honour and justice must oddly contribute,
To ease heroes' pains by an halter and gibbet.

There death breaks the shackles which force had put on,
And the hangman completes what the judge but began;
There the squire of the poet, and knight of the post,
Find their pains no more baulk'd, and their hopes no more cross'd.

PRIOR.

In former times, England had her Tyburn, to which the devoted victims of justice were conducted in solemn procession up what is now called Oxford Road. In Edinburgh, a large open street, or rather oblong square, surrounded by high houses, called the Grassmarket, was used for the same melancholy purpose. It was not ill chosen for such a scene, being of considerable extent, and therefore fit to accommodate a great number of spectators, such as are usually assembled by this melancholy spectacle. On the other hand, few of the houses which surround it were, even in early times, inhabited by persons of fashion; so that those likely to be offended or over deeply affected by such unpleasant exhibitions were not in the way of having their quiet disturbed by them. The houses in the Grassmarket are, generally speaking, of a mean description; yet the place is not without some features of grandeur, being overhung by the southern side of the

huge rock on which the castle stands, and by the moss-grown battlements and turreted walls of that ancient fortress.

It was the custom, until within these thirty years, or thereabouts, to use this esplanade for the scene of public executions. The fatal day was announced to the public, by the appearance of a huge black gallows-tree towards the eastern end of the Grassmarket. This ill-omened apparition was of great height, with a scaffold surrounding it, and a double ladder placed against it, for the ascent of the unhappy criminal and executioner. As this apparatus was always arranged before dawn, it seemed as if the gallows had grown out of the earth in the course of one night, like the production of some foul demon; and I well remember the fright with which the school-boys, when I was one of their number, used to regard these ominous signs of deadly preparation. On the night after the execution the gallows again disappeared, and was conveyed in silence and darkness to the place where it was usually deposited, which was one of the vaults under the Parliament-house, or courts of justice. This mode of execution is now exchanged for one similar to that in front of Newgate,—with what beneficial effect is uncertain. The mental sufferings of the convict are indeed shortened. He no longer stalks between the attendant clergyman, dressed in his grave-clothes, through a considerable part of the city, looking like a moving and walking corpse, while yet an inhabitant of this world; but, as the ultimate purpose of punishment has in view the prevention of crimes, it may at least be doubted, whether, in abridging the melancholy ceremony, we have not in part diminished that appalling effect upon the spectators which is the useful end of all such inflictions, and in considera-

tion of which alone, unless in very particular cases, capital sentences can be altogether justified.

On the 7th day of September, 1736, these ominous preparations for execution were descried in the place we have described, and at an early hour the space around began to be occupied by several groups, who gazed on the scaffold and gibbet with a stern and vindictive show of satisfaction very seldom testified by the populace, whose good-nature, in most cases, forgets the crime of the condemned person, and dwells only on his misery. But the act of which the expected culprit had been convicted was of a description calculated nearly and closely to awaken and irritate the resentful feelings of the multitude. The tale is well known; yet it is necessary to recapitulate its leading circumstances, for the better understanding what is to follow; and the narrative may prove long, but I trust not uninteresting, even to those who have heard its general issue. At any rate, some detail is necessary, in order to render intelligible the subsequent events of our narrative.

Contraband trade, though it strikes at the root of legitimate government, by encroaching on its revenues,—though it injures the fair trader, and debauches the mind of those engaged in it,—is not usually looked upon, either by the vulgar or by their betters, in a very heinous point of view. On the contrary, in those countries where it prevails, the cleverest, boldest, and most intelligent of the peasantry, are uniformly engaged in illicit transactions, and very often with the sanction of the farmers and inferior gentry. Smuggling was almost universal in Scotland in the reigns of George I. and II.; for the people, unaccustomed to imposts, and regarding them as an unjust aggression upon their ancient liberties, made no

scruple to elude them whenever it was possible to do so.

The county of Fife, bounded by two firths on the south and north, and by the sea on the east, and having a number of small seaports, was long famed for maintaining successfully a contraband trade; and, as there were many seafaring men residing there, who had been pirates and buccaneers in their youth, there were not wanting a sufficient number of daring men to carry it on. Among these, a fellow, called Andrew Wilson, originally a baker in the village of Pathhead, was particularly obnoxious to the revenue officers. He was possessed of great personal strength, courage, and cunning,—was perfectly acquainted with the coast, and capable of conducting the most desperate enterprises. On several occasions he succeeded in baffling the pursuit and researches of the king's officers; but he became so much the object of their suspicions and watchful attention, that at length he was totally ruined by repeated seizures. The man became desperate. He considered himself as robbed and plundered; and took it into his head that he had a right to make reprisals, as he could find opportunity. Where the heart is prepared for evil, opportunity is seldom long wanting. This Wilson learned, that the Collector of the Customs at Kirkaldy had come to Pittenweem, in the course of his official round of duty, with a considerable sum of public money in his custody. As the amount was greatly within the value of the goods which had been seized from him, Wilson felt no scruple of conscience in resolving to reimburse himself for his losses, at the expense of the Collector and the revenue. He associated with himself one Robertson, and two other idle young men, whom, having been concerned in the same illicit trade, he persuaded to view the

transaction in the same justifiable light in which he himself considered it. They watched the motions of the Collector; they broke forcibly into the house where he lodged,—Wilson, with two of his associates, entering the Collector's apartment, while Robertson, the fourth, kept watch at the door with a drawn cutlass in his hand. The officer of the customs, conceiving his life in danger, escaped out of his bedroom window, and fled in his shirt, so that the plunderers, with much ease, possessed themselves of about two hundred pounds of public money. The robbery was committed in a very audacious manner, for several persons were passing in the street at the time. But Robertson, representing the noise they heard as a dispute or fray betwixt the Collector and the people of the house, the worthy citizens of Pittenweem felt themselves no way called on to interfere in behalf of the obnoxious revenue officer; so, satisfying themselves with this very superficial account of the matter, like the Levite in the parable, they passed on the opposite side of the way. An alarm was at length given, military were called in, the depredators were pursued, the booty recovered, and Wilson and Robertson tried and condemned to death, chiefly on the evidence of an accomplice.

Many thought, that, in consideration of the men's erroneous opinion of the nature of the action they had committed, justice might have been satisfied with a less forfeiture than that of two lives. On the other hand, from the audacity of the fact, a severe example was judged necessary; and such was the opinion of the government. When it became apparent that the sentence of death was to be executed, files, and other implements necessary for their escape, were transmitted secretly to the culprits by a friend from without. By these means

they sawed a bar out of one of the prison windows, and might have made their escape, but for the obstinacy of Wilson, who, as he was daringly resolute, was doggedly pertinacious of his opinion. His comrade, Robertson, a young and slender man, proposed to make the experiment of passing the foremost through the gap they had made, and enlarging it from the outside, if necessary, to allow Wilson free passage. Wilson, however, insisted on making the first experiment, and being a robust and lusty man, he not only found it impossible to get through betwixt the bars, but, by his struggles, he jammed himself so fast, that he was unable to draw his body back again. In these circumstances discovery became unavoidable, and sufficient precautions were taken by the jailor to prevent any repetitions of the same attempt. Robertson uttered not a word of reflection on his companion for the consequences of his obstinacy; but it appeared from the sequel, that Wilson's mind was deeply impressed with the recollection, that, but for him, his comrade, over whose mind he exercised considerable influence, would not have engaged in the criminal enterprise which had terminated thus fatally; and that now he had become his destroyer a second time, since, but for his obstinacy, Robertson might have effected his escape. Minds like Wilson's, even when exercised in evil practices, sometimes retain the power of thinking and resolving with enthusiastic generosity. His whole thoughts were now bent on the possibility of saving Robertson's life, without the least respect to his own. The resolution which he adopted, and the manner in which he carried it into effect, were striking and unusual.

Adjacent to the Tolbooth, or city jail of Edinburgh, is one of three churches into which the cathedral of St.

Giles is now divided, called, from its vicinity, the Tolbooth Church. It was the custom, that criminals under sentence of death were brought to this church, with a sufficient guard, to hear and join in public worship on the Sabbath before execution. It was supposed that the hearts of these unfortunate persons, however hardened before against feelings of devotion, could not but be accessible to them upon uniting their thoughts and voices, for the last time, along with their fellow-mortals, in addressing their Creator. And to the rest of the congregation, it was thought it could not but be impressive and affecting to find their devotions mingling with those, who, sent by the doom of an earthly tribunal to appear where the whole earth is judged, might be considered as beings trembling on the verge of eternity. The practice, however edifying, has been discontinued, in consequence of the incident we are about to detail.

The clergyman, whose duty it was to officiate in the Tolbooth Church, had concluded an affecting discourse, part of which was particularly directed to the unfortunate men, Wilson and Robertson, who were in the pew set apart for the persons in their unhappy situation, each secured betwixt two soldiers of the city guard. The clergyman had reminded them, that the next congregation they must join would be that of the just, or of the unjust: that the psalms they now heard must be exchanged, in the space of two brief days, for eternal hallelujahs, or eternal lamentations; and that this fearful alternative must depend upon the state to which they might be able to bring their minds before the moment of awful preparation: that they should not despair on account of the suddenness of the summons, but rather to feel this comfort in their misery, that, though all who now lifted the

voice, or bent the knee in conjunction with them, lay under the same sentence of certain death, *they* only had the advantage of knowing the precise moment at which it should be executed upon them. "Therefore," urged the good man, his voice trembling with emotion, "redeem the time, my unhappy brethren, which is yet left; and remember, that, with the grace of Him to whom space and time are but as nothing, salvation may yet be assured, even in the pittance of delay which the laws of your country afford you."

Robertson was observed to weep at these words; but Wilson seemed as one whose brain had not entirely received their meaning, or whose thoughts were deeply impressed with some different subject;—an expression so natural to a person in his situation, that it excited neither suspicion nor surprise.

The benediction was pronounced as usual, and the congregation was dismissed, many lingering to indulge their curiosity with a more fixed look at the two criminals, who now, as well as their guards, rose up, as if to depart when the crowd should permit them. A murmur of compassion was heard to pervade the spectators, the more general, perhaps, on account of the alleviating circumstances of the case; when all at once, Wilson, who, as we have already noticed, was a very strong man, seized two of the soldiers, one with each hand, and calling at the same time to his companion, "Run, Geordie, run!" threw himself on a third, and fastened his teeth on the collar of his coat. Robertson stood for a second as if thunderstruck, and unable to avail himself of the opportunity of escape; but the cry of "Run, run!" being echoed from many around, whose feelings surprised them into a very natural interest in his behalf, he shook off the

grasp of the remaining soldier, threw himself over the pew, mixed with the dispersing congregation, none of whom felt inclined to stop a poor wretch taking this last chance for his life, gained the door of the church, and was lost to all pursuit.

The generous intrepidity which Wilson had displayed on this occasion augmented the feeling of compassion which attended his fate. The public, where their own prejudices are not concerned, are easily engaged on the side of disinterestedness and humanity, admired Wilson's behaviour, and rejoiced in Robertson's escape. This general feeling was so great, that it excited a vague report that Wilson would be rescued at the place of execution, either by the mob or by some of his old associates, or by some second extraordinary and unexpected exertion of strength and courage on his own part. The magistrates thought it their duty to provide against the possibility of disturbance. They ordered out, for protection of the execution of the sentence, the greater part of their own City Guard, under the command of Captain Porteous, a man whose name became too memorable from the melancholy circumstances of the day, and subsequent events. It may be necessary to say a word about this person, and the corps which he commanded. But the subject is of importance sufficient to deserve another chapter.

CHAPTER III.

> And thou, great god of aqua-vitæ!
> Wha sways the empire of this city,
> (When fou we're sometimes capernoity,)
> Be thou prepared,
> To save us frae that black banditti,
> The City Guard!
>
> FERGUSON'S *Daft Days.*

CAPTAIN JOHN PORTEOUS, a name memorable in the traditions of Edinburgh, as well as in the records of criminal jurisprudence, was the son of a citizen of Edinburgh, who endeavoured to breed him up to his own mechanical trade of a tailor. The youth, however, had a wild and irreclaimable propensity to dissipation, which finally sent him to serve in the corps long maintained in the service of the States of Holland, and called the Scotch Dutch. Here he learned military discipline; and, returning afterwards, in the course of an idle and wandering life, to his native city, his services were required by the magistrates of Edinburgh in the disturbed year 1715, for disciplining their City Guard, in which he shortly afterwards received a captain's commission. It was only by his military skill, and an alert and resolute character as an officer of police, that he merited this promotion, for he is said to have been a man of profligate habits, an unnatural son, and a brutal husband. He was, however, useful in his station, and his harsh and

fierce habits rendered him formidable to rioters or disturbers of the public peace.

The corps in which he held his command is, or perhaps we should rather say *was*, a body of about one hundred and twenty soldiers, divided into three companies, and regularly armed, clothed, and embodied. They were chiefly veterans who enlisted in this corps, having the benefit of working at their trades when they were off duty. These men had the charge of preserving public order, repressing riots and street robberies, acting, in short, as an armed police, and attending on all public occasions where confusion or popular disturbance might be expected.* Poor Ferguson, whose irregularities sometimes led him into unpleasant rencontres with these military conservators of public order, and who mentions them so often that he may be termed their poet laureate, thus admonishes his readers, warned doubtless by his own experience:—

> "Gude folk, as ye come frae the fair,
> Bide yont frae this black squad;
> There's nae sic savages elsewhere
> Allowed to wear cockad."

In fact, the soldiers of the City Guard, being, as we have said, in general discharged veterans, who had strength enough remaining for this municipal duty, and being, moreover, for the greater part Highlanders, were neither by birth, education, or former habits, trained to endure with much patience the insults of the rabble, or the provoking petulance of truant schoolboys, and idle

* The Lord Provost was ex-officio commander and colonel of the corps, which might be increased to three hundred men when the times required it. No other drum but theirs was allowed to sound on the High Street between the Luckenbooths and the Netherbow.

debauchees of all descriptions, with whom their occupation brought them into contact. On the contrary, the tempers of the poor old fellows were soured by the indignities with which the mob distinguished them on many occasions, and frequently might have required the soothing strains of the poet we have just quoted—

> "O soldiers! for your ain dear sakes,
> For Scotland's love, the Land o' Cakes,
> Gie not her bairns sic deadly paiks,
> Nor be sae rude,
> Wi' firelock or Lochaber-axe,
> As spill their bluid!"

On all occasions when a holiday licensed some riot and irregularity, a skirmish with these veterans was a favourite recreation with the rabble of Edinburgh. These pages may perhaps see the light when many have in fresh recollection such onsets as we allude to. But the venerable corps, with whom the contention was held, may now be considered as totally extinct. Of late the gradual diminution of these civic soldiers reminds one of the abatement of King Lear's hundred knights. The edicts of each succeeding set of magistrates have, like those of Goneril and Regan, diminished this venerable band with the similar question, "What need we five-and-twenty?—ten?—or five?" And it is now nearly come to, "What need one?" A spectre may indeed here and there still be seen of an old grey-headed and grey-bearded Highlander, with war-worn features, but bent double by age; dressed in an old-fashioned cocked hat, bound with white tape instead of silver lace; and in coat, waistcoat, and breeches of a muddy-coloured red, bearing in his withered hand an ancient weapon, called a Lochaber-axe; a long pole, namely, with an axe at the extremity, and a hook

at the back of the hatchet.* Such a phantom of former days still creeps, I have been informed, round the statue of Charles the Second, in the Parliament Square, as if the image of a Stuart were the last refuge for any memorial of our ancient manners; and one or two others are supposed to glide around the door of the guard-house assigned to them in the Luckenbooths, when their ancient refuge in the High Street was laid low.† But the fate of manuscripts bequeathed to friends and executors is so uncertain, that the narrative containing these frail memorials of the old Town-Guard of Edinburgh, who, with their grim and valiant corporal, John Dhu, (the fiercest-looking fellow I ever saw,) were, in my boyhood, the alternate terror and derision of the petulant brood of the High-School, may, perhaps, only come to light when all memory of the institution has faded away, and then serve as an illustration of Kay's caricatures, who has preserved the features of some of their heroes. In the preceding generation, when there was a perpetual alarm for the plots and activity of the Jacobites, some pains were taken by the magistrates of Edinburgh to keep this corps, though composed always of such materials as we have noticed, in a more effective state than was afterwards

* This hook was to enable the bearer of the Lochaber-axe to scale a gateway, by grappling the top of the door, and swinging himself up by the staff of his weapon.

† This ancient corps is now entirely disbanded. Their last march to do duty at Hallow-fair had something in it affecting. Their drums and fifes had been wont on better days to play, on this joyous occasion, the lively tune of

"Jockey to the fair;"

but on this final occasion the afflicted veterans moved slowly to the dirge of

"The last time I came ower the muir."

judged necessary, when their most dangerous service was to skirmish with the rabble on the king's birth-day. They were, therefore, more the objects of hatred, and less that of scorn, than they were afterwards accounted.

To Captain John Porteous, the honour of his command and of his corps seems to have been a matter of high interest and importance. He was exceedingly incensed against Wilson for the affront which he construed him to have put upon his soldiers, in the effort he made for the liberation of his companion, and expressed himself most ardently on the subject. He was no less indignant at the report, that there was an intention to rescue Wilson himself from the gallows, and uttered many threats and imprecations upon that subject, which were afterwards remembered to his disadvantage. In fact, if a good deal of determination and promptitude rendered Porteous, in one respect, fit to command guards designed to suppress popular commotion, he seems, on the other, to have been disqualified for a charge so delicate, by a hot and surly temper, always too ready to come to blows and violence; a character void of principle; and a disposition to regard the rabble, who seldom failed to regale him and his soldiers with some marks of their displeasure, as declared enemies, upon whom it was natural and justifiable that he should seek opportunities of vengeance. Being, however, the most active and trustworthy among the captains of the City Guard, he was the person to whom the magistrates confided the command of the soldiers appointed to keep the peace at the time of Wilson's execution. He was ordered to guard the gallows and scaffold, with about eighty men, all the disposable force that could be spared for that duty.

But the magistrates took farther precautions, which

affected Porteous's pride very deeply. They requested the assistance of part of a regular infantry regiment, not to attend upon the execution, but to remain drawn up on the principal street of the city during the time that it went forward, in order to intimidate the multitude, in case they should be disposed to be unruly, with a display of force which could not be resisted without desperation. It may sound ridiculous in our ears, considering the fallen state of this ancient civic corps, that its officer should have felt punctiliously jealous of its honour. Yet so it was. Captain Porteous resented, as an indignity, the introducing the Welsh Fusileers within the city, and drawing them up in the street where no drums but his own were allowed to be sounded, without the special command or permission of the magistrates. As he could not show his ill-humour to his patrons the magistrates, it increased his indignation and his desire to be revenged on the unfortunate criminal Wilson, and all who favoured him. These internal emotions of jealousy and rage wrought a change on the man's mien and bearing, visible to all who saw him on the fatal morning when Wilson was appointed to suffer. Porteous's ordinary appearance was rather favourable. He was about the middle size, stout, and well made, having a military air, and yet rather a gentle and mild countenance. His complexion was brown, his face somewhat fretted with the scars of the small-pox, his eyes rather languid than keen or fierce. On the present occasion, however, it seemed to those who saw him as if he were agitated by some evil demon. His step was irregular, his voice hollow and broken, his countenance pale, his eyes staring and wild, his speech imperfect and confused, and his whole appearance so disordered, that many remarked he seemed to be *fey*, a Scottish

expression, meaning the state of those who are driven on to their impending fate by the strong impulse of some irresistible necessity.

One part of his conduct was truly diabolical, if, indeed, it has not been exaggerated by the general prejudice entertained against his memory. When Wilson, the unhappy criminal, was delivered to him by the keeper of the prison, in order that he might be conducted to the place of execution, Porteous, not satisfied with the usual precautions to prevent escape, ordered him to be manacled. This might be justifiable from the character and bodily strength of the malefactor, as well as from the apprehensions so generally entertained of an expected rescue. But the handcuffs which were produced being found too small for the wrists of a man so big-boned as Wilson, Porteous proceeded with his own hands, and by great exertion of strength, to force them till they clasped together, to the exquisite torture of the unhappy criminal. Wilson remonstrated against such barbarous usage, declaring that the pain distracted his thoughts from the subjects of meditation proper to his unhappy condition.

"It signifies little," replied Captain Porteous; "your pain will be soon at an end."

"Your cruelty is great," answered the sufferer. "You know not how soon you yourself may have occasion to ask the mercy which you are now refusing to a fellow-creature. May God forgive you!"

These words, long afterwards quoted and remembered, were all that passed between Porteous and his prisoner; but as they took air, and became known to the people, they greatly increased the popular compassion for Wilson, and excited a proportionate degree of indig-

nation against Porteous; against whom, as strict, and even violent in the discharge of his unpopular office, the common people had some real, and many imaginary causes of complaint.

When the painful procession was completed, and Wilson, with the escort, had arrived at the scaffold in the Grassmarket, there appeared no signs of that attempt to rescue him which had occasioned such precautions. The multitude, in general, looked on with deeper interest than at ordinary executions; and there might be seen, on the countenances of many, a stern and indignant expression, like that with which the ancient Cameronians might be supposed to witness the execution of their brethren, who glorified the Covenant on the same occasion, and at the same spot. But there was no attempt at violence. Wilson himself seemed disposed to hasten over the space that divided time from eternity. The devotions proper and usual on such occasions were no sooner finished than he submitted to his fate, and the sentence of the law was fulfilled.

He had been suspended on the gibbet so long as to be totally deprived of life, when at once, as if occasioned by some newly-received impulse, there arose a tumult among the multitude. Many stones were thrown at Porteous and his guards; some mischief was done; and the mob continued to press forward with whoops, shrieks, howls, and exclamations. A young fellow, with a sailor's cap slouched over his face, sprung on the scaffold, and cut the rope by which the criminal was suspended. Others approached to carry off the body, either to secure for it a decent grave, or to try, perhaps, some means of resuscitation. Captain Porteous was wrought, by this appearance of insurrection against his authority, into a rage so head-

long as made him forget, that, the sentence having been fully executed, it was his duty not to engage in hostilities with the misguided multitude, but to draw off his men as fast as possible. He sprung from the scaffold, snatched a musket from one of his soldiers, commanded the party to give fire, and, as several eye-witnesses concurred in swearing, set them the example, by discharging his piece, and shooting a man dead on the spot. Several soldiers obeyed his command or followed his example; six or seven persons were slain, and a great many were hurt and wounded.

After this act of violence, the Captain proceeded to withdraw his men towards their guard-house in the High Street. The mob were not so much intimidated as incensed by what had been done. They pursued the soldiers with execrations, accompanied by volleys of stones. As they pressed on them, the rearmost soldiers turned, and again fired with fatal aim and execution. It is not accurately known whether Porteous commanded this second act of violence; but of course the odium of the whole transactions of the fatal day attached to him, and to him alone. He arrived at the guard-house, dismissed his soldiers, and went to make his report to the magistrates concerning the unfortunate events of the day.

Apparently by this time Captain Porteous had begun to doubt the propriety of his own conduct, and the reception he met with from the magistrates was such as to make him still more anxious to gloss it over. He denied that he had given orders to fire; he denied he had fired with his own hand; he even produced the fusee which he carried as an officer for examination; it was found still loaded. Of three cartridges which he was seen to put in his pouch that morning, two were still there; a

white handkerchief was thrust into the muzzle of the piece, and returned unsoiled or blackened. To the defence founded on these circumstances it was answered, that Porteous had not used his own piece, but had been seen to take one from a soldier. Among the many who had been killed and wounded by the unhappy fire, there were several of better rank; for even the humanity of such soldiers as fired over the heads of the mere rabble around the scaffold, proved in some instances fatal to persons who were stationed in windows, or observed the melancholy scene from a distance. The voice of public indignation was loud and general; and, ere men's tempers had time to cool, the trial of Captain Porteous took place before the High Court of Justiciary. After a long and patient hearing, the jury had the difficult duty of balancing the positive evidence of many persons, and those of respectability, who deposed positively to the prisoner's commanding his soldiers to fire, and himself firing his piece, of which some swore that they saw the smoke and flash, and beheld a man drop at whom it was pointed, with the negative testimony of others, who, though well stationed for seeing what had passed, neither heard Porteous give orders to fire, nor saw him fire himself; but, on the contrary, averred that the first shot was fired by a soldier who stood close by him. A great part of his defence was also founded on the turbulence of the mob, which witnesses, according to their feelings, their predilections, and their opportunities of observation, represented differently; some describing as a formidable riot, what others represented as a trifling disturbance, such as always used to take place on the like occasions, when the executioner of the law, and the men commissioned to protect him in his task, were generally exposed

to some indignities. The verdict of the jury sufficiently shows how the evidence preponderated in their minds. It declared that John Porteous fired a gun among the people assembled at the execution; that he gave orders to his soldiers to fire, by which many persons were killed and wounded; but, at the same time, that the prisoner and his guard had been wounded and beaten, by stones thrown at them by the multitude. Upon this verdict, the Lords of Justiciary passed sentence of death against Captain John Porteous, adjudging him, in the common form, to be hanged on a gibbet at the common place of execution, on Wednesday, 8th September 1736, and all his moveable property to be forfeited to the king's use, according to the Scottish law in cases of wilful murder.

CHAPTER IV.

The hour's come, but not the man.*
KELPIE.

ON the day when the unhappy Porteous was expected to suffer the sentence of the law, the place of execution, extensive as it is, was crowded almost to suffocation. There was not a window in all the lofty tenements around it, or in the steep and crooked street called the Bow, by which the fatal procession was to descend from the High Street, that was not absolutely filled with spectators. The uncommon height and antique appearance of these houses, some of which were formerly the property of the Knights Templars, and the Knights of St. John, and still exhibit on their fronts and gables the iron cross of these orders, gave additional effect to a scene in itself so striking. The area of the Grassmarket resembled a huge dark lake or sea of human heads, in the centre of which arose the fatal tree, tall, black, and ominous, from which dangled the deadly halter. Every object takes interest from its uses and associations, and the erect beam and

* There is a tradition, that while a little stream was swollen into a torrent by recent showers, the discontented voice of the Water Spirit was heard to pronounce these words. At the same moment a man, urged on by his fate, or, in Scottish language, *fey*, arrived at a gallop, and prepared to cross the water. No remonstrance from the bystanders was of power to stop him—he plunged into the stream, and perished.

empty noose, things so simple in themselves, became, on such an occasion, objects of terror and of solemn interest.

Amid so numerous an assembly there was scarcely a word spoken, save in whispers. The thirst of vengeance was in some degree allayed by its supposed certainty; and even the populace, with deeper feeling than they are wont to entertain, suppressed all clamorous exultation, and prepared to enjoy the scene of retaliation in triumph, silent and decent, though stern and relentless. It seemed as if the depth of their hatred to the unfortunate criminal scorned to display itself in any thing resembling the more noisy current of their ordinary feelings. Had a stranger consulted only the evidence of his ears, he might have supposed that so vast a multitude were assembled for some purpose which affected them with the deepest sorrow, and stilled those noises which, on all ordinary occasions, arise from such a concourse; but if he had gazed upon their faces, he would have been instantly undeceived. The compressed lip, the bent brow, the stern and flashing eye of almost every one on whom he looked, conveyed the expression of men come to glut their sight with triumphant revenge. It is probable that the appearance of the criminal might have somewhat changed the temper of the populace in his favour, and that they might in the moment of death have forgiven the man against whom their resentment had been so fiercely heated. It had, however, been destined, that the mutability of their sentiments was not to be exposed to this trial.

The usual hour for producing the criminal had been past for many minutes, yet the spectators observed no symptom of his appearance. "Would they venture to defraud public justice?" was the question which men

began anxiously to ask at each other. The first answer in every case was bold and positive,—"They dare not." But when the point was farther canvassed, other opinions were entertained, and various causes of doubt were suggested. Porteous had been a favourite officer of the magistracy of the city, which, being a numerous and fluctuating body, requires for its support a degree of energy in its functionaries, which the individuals who compose it cannot at all times alike be supposed to possess in their own persons. It was remembered, that in the Information for Porteous, (the paper, namely, in which his case was stated to the Judges of the criminal court,) he had been described by his counsel as the person on whom the magistrates chiefly relied in all emergencies of uncommon difficulty. It was argued, too, that his conduct, on the unhappy occasion of Wilson's execution, was capable of being attributed to an imprudent excess of zeal in the execution of his duty, a motive for which those under whose authority he acted might be supposed to have great sympathy. And as these considerations might move the magistrates to make a favourable representation of Porteous's case, there were not wanting others in the higher departments of government, which would make such suggestions favourably listened to.

The mob of Edinburgh, when thoroughly excited, had been at all times one of the fiercest which could be found in Europe; and of late years they had risen repeatedly against the government, and sometimes not without temporary success. They were conscious, therefore, that they were no favourites with the rulers of the period, and that, if Captain Porteous's violence was not altogether regarded as good service, it might certainly be thought,

that to visit it with a capital punishment would render it both delicate and dangerous for future officers, in the same circumstances, to act with effect in repressing tumults. There is also a natural feeling, on the part of all members of government, for the general maintenance of authority; and it seemed not unlikely, that what to the relatives of the sufferers appeared a wanton and unprovoked massacre, should be otherwise viewed in the cabinet of St. James's. It might be there supposed, that upon the whole matter, Captain Porteous was in the exercise of a trust delegated to him by the lawful civil authority; that he had been assaulted by the populace, and several of his men hurt; and that, in finally repelling force by force, his conduct could be fairly imputed to no other motive than self-defence in the discharge of his duty.

These considerations, of themselves very powerful, induced the spectators to apprehend the possibility of a reprieve; and to the various causes which might interest the rulers in his favour, the lower part of the rabble added one which was peculiarly well adapted to their comprehension. It was averred, in order to increase the odium against Porteous, that while he repressed with the utmost severity the slightest excesses of the poor, he not only overlooked the license of the young nobles and gentry, but was very willing to lend them the countenance of his official authority, in execution of such loose pranks as it was chiefly his duty to have restrained. This suspicion, which was perhaps much exaggerated, made a deep impression on the minds of the populace; and when several of the higher rank joined in a petition, recommending Porteous to the mercy of the crown, it was generally supposed he owed their favour not to any con-

viction of the hardship of his case, but to the fear of losing a convenient accomplice in their debaucheries. It is scarcely necessary to say how much this suspicion augmented the people's detestation of this obnoxious criminal, as well as their fear of his escaping the sentence pronounced against him.

While these arguments were stated and replied to, and canvassed and supported, the hitherto silent expectation of the people became changed into that deep and agitating murmur, which is sent forth by the ocean before the tempest begins to howl. The crowded populace, as if their motions had corresponded with the unsettled state of their minds, fluctuated to and fro without any visible cause of impulse, like the agitation of the waters, called by sailors the ground-swell. The news, which the magistrates had almost hesitated to communicate to them, were at length announced, and spread among the spectators with a rapidity like lightning. A reprieve from the Secretary of State's office, under the hand of his Grace the Duke of Newcastle, had arrived, intimating the pleasure of Queen Caroline, (regent of the kingdom during the absence of George II. on the Continent,) that the execution of the sentence of death pronounced against John Porteous, late Captain-Lieutenant of the City-Guard of Edinburgh, present prisoner in the Tolbooth of that city, be respited for six weeks from the time appointed for his execution.

The assembled spectators of almost all degrees, whose minds had been wound up to the pitch which we have described, uttered a groan, or rather a roar of indignation and disappointed revenge, similar to that of a tiger from whom his meal has been rent by his keeper when he was just about to devour it. This fierce exclamation seemed

to forebode some immediate explosion of popular resentment, and, in fact, such had been expected by the magistrates, and the necessary measures had been taken to repress it. But the shout was not repeated, nor did any sudden tumult ensue, such as it appeared to announce. The populace seemed to be ashamed of having expressed their disappointment in a vain clamour, and the sound changed, not into the silence which had preceded the arrival of these stunning news, but into stifled mutterings, which each group maintained among themselves, and which were blended into one deep and hoarse murmur which floated above the assembly.

Yet still, though all expectation of the execution was over, the mob remained assembled, stationary, as it were, through very resentment, gazing on the preparations for death, which had now been made in vain, and stimulating their feelings, by recalling the various claims which Wilson might have had on royal mercy, from the mistaken motives on which he acted, as well as from the generosity he had displayed towards his accomplice. "This man," they said,—"the brave, the resolute, the generous, was executed to death without mercy for stealing a purse of gold, which in some sense he might consider as a fair reprisal; while the profligate satellite, who took advantage of a trifling tumult, inseparable from such occasions, to shed the blood of twenty of his fellow-citizens, is deemed a fitting object for the exercise of the royal prerogative of mercy. Is this to be borne?—would our fathers have borne it? Are not we, like them, Scotsmen and burghers of Edinburgh?"

The officers of justice began now to remove the scaffold, and other preparations which had been made for the execution, in hopes, by doing so, to accelerate the dispersion

of the multitude. The measure had the desired effect; for no sooner had the fatal tree been unfixed from the large stone pedestal or socket in which it was secured, and sunk slowly down upon the wain intended to remove it to the place where it was usually deposited, than the populace, after giving vent to their feelings in a second shout of rage and mortification, began slowly to disperse to their usual abodes and occupations.

The windows were in like manner gradually deserted, and groups of the more decent class of citizens formed themselves, as if waiting to return homewards when the streets should be cleared of the rabble. Contrary to what is frequently the case, this description of persons agreed in general with the sentiments of their inferiors, and considered the cause as common to all ranks. Indeed, as we have already noticed, it was by no means amongst the lowest class of the spectators, or those most likely to be engaged in the riot at Wilson's execution, that the fatal fire of Porteous's soldiers had taken effect. Several persons were killed who were looking out at windows at the scene, who could not of course belong to the rioters, and were persons of decent rank and condition. The burghers, therefore, resenting the loss which had fallen on their own body, and proud and tenacious of their rights, as the citizens of Edinburgh have at all times been, were greatly exasperated at the unexpected respite of Captain Porteous.

It was noticed at the time, and afterwards more particularly remembered, that, while the mob were in the act of dispersing, several individuals were seen busily passing from one place and one group of people to another, remaining long with none, but whispering for a little time with those who appeared to be declaiming most violently

against the conduct of government. These active agents had the appearance of men from the country, and were generally supposed to be old friends and confederates of Wilson, whose minds were of course highly excited against Porteous.

If, however, it was the intention of these men to stir the multitude to any sudden act of mutiny, it seemed for the time to be fruitless. The rabble, as well as the more decent part of the assembly, dispersed, and went home peaceably; and it was only by observing the moody discontent on their brows, or catching the tenor of the conversation they held with each other, that a stranger could estimate the state of their minds. We will give the reader this advantage, by associating ourselves with one of the numerous groups who were painfully ascending the steep declivity of the West Bow, to return to their dwellings in the Lawnmarket.

"An unco thing this, Mrs. Howden," said old Peter Plumdamas to his neighbour the rouping-wife, or saleswoman, as he offered her his arm to assist her in the toilsome ascent, "to see the grit folk at Lunnon set their face against law and gospel, and let loose sic a reprobate as Porteous upon a peaceable town!"

"And to think o' the weary walk they hae gien us," answered Mrs. Howden, with a groan; "and sic a comfortable window as I had gotten, too, just within a penny-stane-cast of the scaffold—I could hae heard every word the minister said—and to pay twalpennies for my stand, and a' for naething!"

"I am judging," said Mr. Plumdamas, "that this reprieve wadna stand gude in the auld Scots law, when the kingdom *was* a kingdom."

"I dinna ken muckle about the law," answered Mrs.

Howden; "but I ken, when we had a king, and a chancellor, and parliament-men o' our ain, we could aye peeble them wi' stanes when they werena gude bairns—But naebody's nails can reach the length o' Lunnon."

"Weary on Lunnon, and a' that e'er came out o't!" said Miss Grizel Damahoy, an ancient seamstress; "they hae taen away our parliament and they hae oppressed our trade. Our gentles will hardly allow that a Scots needle can sew ruffles on a sark, or lace on an owerlay."

"Ye may say that—Miss Damahoy, and I ken o' them that hae gotten raisins frae Lunnon by forpits at ance," responded Plumdamas; "and then sic an host of idle English gaugers and excisemen as hae come down to vex and torment us, that an honest man canna fetch sae muckle as a bit anker o' brandy frae Leith to the Lawnmarket, but he's like to be rubbit o' the very gudes he's bought and paid for.—Weel, I winna justify Andrew Wilson for pitting hands on what wasna his; but if he took nae mair than his ain, there's an awfu' difference between that and the fact this man stands for."

"If ye speak about the law," said Mrs. Howden, "here comes Mr. Saddletree, that can settle it as weel as ony on the bench."

The party she mentioned, a grave elderly person with a superb periwig, dressed in a decent suit of sad-coloured clothes, came up as she spoke, and courteously gave his arm to Miss Grizel Damahoy.

It may be necessary to mention, that Mr. Bartoline Saddletree kept an excellent and highly-esteemed shop for harness, saddles, &c. &c., at the sign of the Golden Nag, at the head of Bess Wynd. His genius, however, (as he himself and most of his neighbours conceived,) lay towards the weightier matters of the law, and he failed

not to give frequent attendance upon the pleadings and arguments of the lawyers and judges in the neighbouring square, where, to say the truth, he was oftener to be found than would have consisted with his own emolument; but that his wife, an active pains-taking person, could, in his absence, make an admirable shift to please the customers and scold the journeymen. This good lady was in the habit of letting her husband take his way, and go on improving his stock of legal knowledge without interruption; but, as if in requital, she insisted upon having her own will in the domestic and commercial departments which he abandoned to her. Now, as Bartoline Saddletree had a considerable gift of words, which he mistook for eloquence, and conferred more liberally upon the society in which he lived than was at all times gracious and acceptable, there went forth a saying, with which wags used sometimes to interrupt his rhetoric, that, as he had a golden nag at his door, so he had a grey mare in his shop. This reproach induced Mr. Saddletree, on all occasions, to assume rather a haughty and stately tone towards his good woman, a circumstance by which she seemed very little affected, unless he attempted to exercise any real authority, when she never failed to fly into open rebellion. But such extremes Bartoline seldom provoked; for, like the gentle King Jamie, he was fonder of talking of authority than really exercising it. This turn of mind was, on the whole, lucky for him; since his substance was increased without any trouble on his part, or any interruption of his favourite studies.

This word in explanation has been thrown in to the reader, while Saddletree was laying down, with great precision, the law upon Porteous's case, by which he arrived at this conclusion, that, if Porteous had fired five minutes

sooner, before Wilson was cut down, he would have been *versans in licito;* engaged, that is, in a lawful act, and only liable to be punished *propter excessum*, or for lack of discretion, which might have mitigated the punishment to *pœna ordinaria.*

"Discretion!" echoed Mrs. Howden, on whom, it may well be supposed, the fineness of this distinction was entirely thrown away,—"whan had Jock Porteous either grace, discretion, or gude manners?—I mind when his father——"

"But, Mrs. Howden," said Saddletree——

"And I," said Miss Damahoy, "mind when his mother——"

"Miss Damahoy," entreated the interrupted orator——

"And I," said Plumdamas, "mind when his wife——"

"Mr. Plumdamas—Mrs. Howden—Miss Damahoy," again implored the orator,—"mind the distinction, as Counsellor Crossmyloof says—'I,' says he, 'take a distinction.' Now, the body of the criminal being cut down, and the execution ended, Porteous was no longer official; the act which he came to protect and guard, being done and ended, he was no better than *cuivis ex populo.*"

"*Quivis—quivis*, Mr. Saddletree, craving your pardon," said (with a prolonged emphasis on the first syllable) Mr. Butler, the deputy schoolmaster of a parish near Edinburgh, who at that moment came up behind them as the false Latin was uttered.

"What signifies interrupting me, Mr. Butler?—but I am glad to see ye notwithstanding—I speak after Counsellor Crossmyloof, and he said *cuivis.*"

"If Counsellor Crossmyloof used the dative for the nominative, I would have crossed *his* loof with a tight leathern strap, Mr. Saddletree; there is not a boy on the

booby form but should have been scourged for such a solecism in grammar."

"I speak Latin like a lawyer, Mr. Butler, and not like a schoolmaster," retorted Saddletree.

"Scarce like a schoolboy, I think," rejoined Butler.

"It matters little," said Bartoline; "all I mean to say is, that Porteous has become liable to the *pœna extra ordinem*, or capital punishment—which is to say, in plain Scotch, the gallows—simply because he did not fire when he was in office, but waited till the body was cut down, the execution whilk he had in charge to guard implemented, and he himself exonered of the public trust imposed on him."

"But, Mr. Saddletree," said Plumdamas, "do ye really think John Porteous's case wad hae been better if he had begun firing before ony stanes were flung at a'?"

"Indeed do I, neighbour Plumdamas," replied Bartoline, confidently, "he being then in point of trust and in point of power, the execution being but inchoat, or, at least, not implemented, or finally ended; but after Wilson was cut down, it was a' ower—he was clean exauctorate, and had nae mair ado but to get awa wi' his guard up this West Bow as fast as if there had been a caption after him—And this is law, for I heard it laid down by Lord Vincovincentem."

"Vincovincentem?—Is he a lord of state, or a lord of seat?" inquired Mrs. Howden.*

"A lord of seat—a lord of session.—I fash mysell little wi' lords o' state; they vex me wi' a wheen idle questions about their saddles, and curpels, and holsters, and horse-furniture, and what they'll cost, and whan they'll be ready

* A nobleman was called a Lord of State. The Senators of the College of Justice were termed Lords of Seat, or of the Session.

—a wheen golloping geese—my wife may serve the like o' them."

"And so might she, in her day, hae served the best lord in the land, for as little as ye think o' her, Mr. Saddletree," said Mrs. Howden, somewhat indignant at the contemptuous way in which her gossip was mentioned; "when she and I were twa gilpies, we little thought to hae sitten doun wi' the like o' my auld Davie Howden, or you either, Mr. Saddletree."

While Saddletree, who was not bright at a reply, was cudgelling his brains for an answer to this home-thrust, Miss Damahoy broke in on him.

"And as for the lords of state," said Miss Damahoy, "ye suld mind the riding o' the parliament, Mr. Saddletree, in the gude auld time before the Union,—a year's rent o' mony a gude estate gaed for horse-graith and harnessing, forby broidered robes and foot-mantles, that wad hae stude by their lane wi' gold brocade, and that were muckle in my ain line."

"Ay, and then the lusty banqueting, with sweetmeats and comfits wet and dry, and dried fruits of divers sorts," said Plumdamas. "But Scotland was Scotland in these days."

"I'll tell ye what it is neighbours," said Mrs. Howden, "I'll ne'er believe Scotland is Scotland ony mair, if our kindly Scots sit doun wi' the affront they hae gien us this day. It's not only the blude that *is* shed, but the blude that might hae been shed, that's required at our hands; there was my daughter's wean, little Eppie Daidle—my oe, ye ken, Miss Grizel—had played the truant frae the school, as bairns will do, ye ken, Mr. Butler——"

"And for which," interjected Mr. Butler, "they should be soundly scourged by their well-wishers."

"And had just cruppen to the gallows-foot to see the hanging, as was natural for a wean; and what for mightna she hae been shot as weel as the rest o' them, and where wad we a' hae been then? I wonder how Queen Carline (if her name be Carline) wad hae liked to hae had ane o' her ain bairns in sic a venture?"

"Report says," answered Butler, "that such a circumstance would not have distressed her majesty beyond endurance."

"Aweel," said Mrs. Howden, "the sum o' the matter is, that, were I a man, I wad hae amends o' Jock Porteous, be the upshot what like o't, if a' the carles and carlines in England had sworn to the nay-say.

"I would claw down the Tolbooth door wi' my nails," said Miss Grizel, "but I wad be at him."

"Ye may be very right, ladies," said Butler, "but I would not advise you to speak so loud."

"Speak!" exclaimed both the ladies together, "there will be naething else spoken about frae the Weigh-house to the Water-gate, till this is either ended or mended."

The females now departed to their respective places of abode. Plumdamas joined the other two gentlemen in drinking their *meridian*, (a bumper-dram of brandy,) as they passed the well-known low-browed shop in the Lawnmarket, where they were wont to take that refreshment. Mr. Plumdamas then departed towards his shop, and Mr. Butler, who happened to have some particular occasion for the rein of an old bridle, (the truants of that busy day could have anticipated its application,) walked down the Lawnmarket with Mr. Saddletree, each talking as he could get a word thrust in, the one on the laws of Scotland, the other on those of syntax, and neither listening to a word which his companion uttered.

CHAPTER V.

Elswhair he colde right weel lay down the law,
But in his house was meek as is a daw.

DAVIE LINDSAY.

"THERE has been Jock Driver the carrier here, speering about his new graith," said Mrs. Saddletree to her husband, as he crossed his threshold, not with the purpose, by any means, of consulting him upon his own affairs, but merely to intimate, by a gentle recapitulation, how much duty she had gone through in his absence.

"Weel," replied Bartoline, and deigned not a word more.

"And the Laird of Girdingburst has had his running footman here, and ca'd himsell, (he's a civil pleasant young gentleman,) to see when the broidered saddle-cloth for his sorrel horse will be ready, for he wants it agane the Kelso races."

"Weel, aweel," replied Bartoline, as laconically as before.

"And his lordship, the Earl of Blazonbury, Lord Flash and Flame, is like to be clean daft, that the harness for the six Flanders mears, wi' the crests, coronets, housings, and mountings conform, are no sent hame according to promise gien."

"Weel, weel, weel—weel, weel, gudewife," said Saddle-

tree, "if he gangs daft, we'll hae him cognosced—it's a' very weel."

"It's weel that ye think sae, Mr. Saddletree," answered his helpmate, rather nettled at the indifference with which her report was received; "there's mony ane wad hae thought themselves affronted, if sae mony customers had ca'd and naebody to answer them but women-folk; for a' the lads were aff, as soon as your back was turned, to see Porteous hanged, that might be counted upon; and sae, you no being at hame——"

"Houts, Mrs. Saddletree," said Bartoline, with an air of consequence, "dinna deave me wi' your nonsense; I was under the necessity of being elsewhere—*non omnia*—as Mr. Crossmyloof said, when he was called by two macers at once—*non omnia possumus—pessimus—possimis*—I ken our law-latin offends Mr. Butler's ears, but it means, Naebody, an it were the Lord President himsell, can do twa turns at ance."

"Very right, Mr. Saddletree," answered his careful helpmate, with a sarcastic smile; "and nae doubt it's a decent thing to leave your wife to look after young gentlemen's saddles and bridles, when ye gang to see a man, that never did ye nae ill, raxing a halter."

"Woman," said Saddletree, assuming an elevated tone to which the *meridian* had somewhat contributed, "desist,—I say forbear, from intromitting with affairs thou canst not understand. D'ye think I was born to sit here brogging an elshin through bend-leather, when sic men as Duncan Forbes, and that other Arniston chield there, without muckle greater parts, if the close-head speak true, than mysell, maun be presidents and king's advocates, nae doubt, and wha but they? Whereas, were favour, equally distribute, as in the days of the wight Wallace——"

"I ken naething we wad hae gotten by the wight Wallace," said Mrs. Saddletree, "unless, as I hae heard the auld folk tell, they fought in thae days wi' bend-leather guns, and then it's a chance but what, if he had bought them, he might have forgot to pay for them. And as for the greatness of your parts, Bartley, the folk in the close-head maun ken mair about them than I do, if they make sic a report of them."

"I tell ye, woman," said Saddletree in high dudgeon, "that ye ken naething about these matters. In Sir William Wallace's days, there was nae man pinned down to sic a slavish wark as a saddler's, for they got ony leather graith that they had use for ready-made out of Holland.

"Well," said Butler, who was, like many of his profession, something of a humorist and dry joker, "if that be the case, Mr. Saddletree, I think we have changed for the better; since we make our own harness, and only import our lawyers from Holland."

"It's ower true, Mr. Butler," answered Bartoline, with a sigh; "if I had had the luck—or rather, if my father had had the sense to send me to Leyden and Utrecht to learn the Substitutes and Pandex——"

"You mean the Institutes—Justinian's Institutes, Mr. Saddletree?" said Butler.

"Institutes and substitutes are synonymous words, Mr. Butler, and used indifferently as such in deeds of tailzie, as you may see in Balfour's Practiques, or Dallas of St. Martin's Styles. I understand these things pretty weel, I thank God; but I own I should have studied in Holland."

"To comfort you, you might not have been farther forward than you are now, Mr. Saddletree," replied Mr.

Butler; "for our Scottish advocates are an aristocratic race. Their brass is of the right Corinthian quality, and *Non cuivis contigit adire Corinthum*—Aha, Mr. Saddletree?"

"And aha, Mr. Butler," rejoined Bartoline, upon whom, as may be well supposed, the jest was lost, and all but the sound of the words, "ye said a gliff syne it was *quivis*, and now I heard ye say *cuivis* with my ain ears, as plain as ever I heard a word at the fore-bar."

"Give me your patience, Mr. Saddletree, and I'll explain the discrepancy in three words," said Butler, as pedantic in his own department, though with infinitely more judgment and learning, as Bartoline was in his self-assumed profession of the law—"Give me your patience for a moment—You'll grant that the nominative case is that by which a person or thing is nominated or designed, and which may be called the primary case, all others being formed from it by alterations of the termination in the learned languages, and by prepositions in our modern Babylonian jargons—You'll grant me that, I suppose, Mr. Saddletree?"

"I dinna ken whether I will or no—*ad avisandum*, ye ken—naebody should be in a hurry to make admissions, either in point of law, or in point of fact," said Saddletree, looking, or endeavouring to look, as if he understood what was said.

"And the dative case," continued Butler——

"I ken what a tutor dative is," said Saddletree, "readily enough."

"The dative case," resumed the grammarian, "is that in which anything is given or assigned as properly belonging to a person, or thing—You cannot deny that, I am sure."

"I am sure I'll no grant it though," said Saddletree.

"Then what the *deevil* d'ye take the nominative and the dative cases to be?" said Butler, hastily, and surprised at once out of his decency of expression and accuracy of pronunciation.

"I'll tell you that at leisure, Mr. Butler," said Saddletree, with a very knowing look; "I'll take a day to see and answer every article of your condescendence, and then I'll hold you to confess or deny, as accords."

"Come, come, Mr. Saddletree," said his wife, "we'll hae nae confessions and condescendences here, let them deal in thae sort o' wares that are paid for them—they suit the like o' us as ill as a demipique saddle would suit a draught ox."

"Aha!" said Mr. Butler, "*Optat ephippia bos piger*, nothing new under the sun—But it was a fair hit of Mrs. Saddletree, however."

"And it wad far better become ye, Mr. Saddletree," continued his helpmate, "since ye say ye hae skeel o' the law, to try if ye can do ony thing for Effie Deans, puir thing, that's lying up in the Tolbooth yonder, cauld, and hungry, and comfortless—A servant lass of ours, Mr. Butler, and as innocent a lass, to my thinking, and as usefu' in the chop—When Mr. Saddletree gangs out,—and ye're aware he's seldom at hame when there's ony o' the plea-houses open,—poor Effie used to help me to tumble the bundles o' barkened leather up and down, and range out the gudes, and suit a' body's humours—And troth she could aye please the customers wi' her answers, for she was aye civil, and a bonnier lass wasna in Auld Reekie. And when folk were hasty and unreasonable, she could serve them better than me, that am no sae young as I hae been, Mr. Butler, and a wee bit short

in the temper into the bargain. For when there's ower mony folks crying on me at anes, and nane but ae tongue to answer them, folk maun speak hastily, or they'll ne'er get through their work—Sae I miss Effie daily."

"*De die in diem*," added Saddletree.

"I think," said Butler, after a good deal of hesitation, "I have seen the girl in the shop—a modest-looking, fair-haired girl?"

"Ay, ay, that's just puir Effie," said her mistress. "How she was abandoned to hersell, or whether she was sackless o' the sinful deed, God in Heaven knows; but if she's been guilty, she's been sair tempted, and I wad amaist take my Bible-aith she hasna been hersell at the time."

Butler had by this time become much agitated; he fidgeted up and down the shop, and showed the greatest agitation that a person of such strict decorum could be supposed to give way to. "Was not this girl," he said, "the daughter of David Deans, that had the parks at St. Leonards taken? and has she not a sister?"

"In troth has she—puir Jeannie Deans, ten years aulder than hersell; she was here greeting a wee while syne about her tittie. And what could I say to her, but that she behoved to come and speak to Mr. Saddletree when he was at hame? It wasna that I thought Mr. Saddletree could do her or ony ither body muckle good or ill, but it wad aye serve to keep the puir thing's heart up for a wee while; and let sorrow come when sorrow maun."

"Ye're mistaen though, gudewife," said Saddletree, scornfully, "for I could hae gien her great satisfaction; I could hae proved to her that her sister was indicted

upon the statute saxteen hundred and ninety, chapter one —For the mair ready prevention of child-murder—for concealing her pregnancy, and giving no account of the child which she had borne."

"I hope," said Butler,—"I trust in a gracious God that she can clear herself."

"And sae do I, Mr. Butler," replied Mrs. Saddletree. "I am sure I wad hae answered for her as my ain daughter; but, wae's my heart, I had been tender a' the simmer, and scarce ower the door o' my room for twal weeks. And as for Mr. Saddletree, he might be in a lying-in-hospital, and ne'er find out what the women cam there for. Sae I could see little or naething o' her, or I wad hae had the truth o' her situation out o' her, I'se warrant ye—But we a' think her sister maun be able to speak something to clear her."

"The haill Parliament House," said Saddletree, "was speaking o' naething else, till this job o' Porteus's put it out o' head—It's a beautiful point of presumptive murder, and there's been nane like it in the Justiciar Court since the case of Luckie Smith the howdie, that suffered in the year saxteen hundred and seventy-nine."

"But what's the matter wi' you, Mr. Butler?" said the good woman; "ye are looking as white as a sheet; will ye tak a dram?"

"By no means," said Butler, compelling himself to speak. "I walked in from Dumfries yesterday, and this is a warm day."

"Sit down," said Mrs. Saddletree, laying hands on him kindly, "and rest ye—ye'll kill yoursell, man, at that rate. —And are we to wish you joy o' getting the scule, Mr. Butler?"

"Yes—no—I do not know," answered the young man

vaguely. But Mrs. Saddletree kept him to the point, partly out of real interest, partly from curiosity.

"Ye dinna ken whether ye are to get the free scule o' Dumfries or no, after hinging on and teaching it a' the simmer?"

"No, Mrs. Saddletree—I am not to have it," replied Butler, more collectedly. "The Laird of Black-at-the-bane had a natural son bred to the kirk, that the presbytery could not be prevailed upon to license; and so ——"

"Ay, ye need say nae mair about it; if there was a laird that had a puir kinsman, or a bastard that it wad suit, there's eneugh said.—And ye're e'en come back to Libberton to wait for dead men's shoon?—and, for as frail as Mr. Whackbairn is, he may live as lang as you, that are his assistant and successor."

"Very like," replied Butler, with a sigh; "I do not know if I should wish it otherwise."

"Nae doubt it's a very vexing thing," continued the good lady, "to be in that dependent station; and you that hae right and title to sae muckle better, I wonder how ye bear these crosses."

"*Quos diligit castigat*," answered Butler; "even the Pagan Seneca could see an advantage in affliction. The Heathens had their philosophy, and the Jews their revelation, Mrs. Saddletree, and they endured their distresses in their day. Christians have a better dispensation than either—but doubtless——"

He stopped and sighed.

"I ken what ye mean," said Mrs. Saddletree, looking toward her husband; "there's whiles we lose patience in spite of baith book and Bible—But ye are no gaun awa, and looking sae poorly—ye'll stay and take some kale wi' us."

Mr. Saddletree laid aside Balfour's Practiques, (his favourite study, and much good may it do him,) to join in his wife's hospitable importunity. But the teacher declined all entreaty, and took his leave upon the spot.

"There's something in a' this," said Mrs. Saddletree, looking after him as he walked up the street; "I wonder what makes Mr. Butler sae distressed about Effie's misfortune—there was nae acquaintance atween them that ever I saw or heard of; but they were neighbours when David Deans was on the Laird o' Dumbiedikes' land. Mr. Butler wad ken her father or some o' her folk—Get up, Mr. Saddletree—ye have set yoursell down on the very brecham that wants stitching—and here's little Willie, the prentice.—Ye little rin-there-out deil that ye are, what takes you raking through the gutters to see folk hangit?—how wad ye like, when it comes to be your ain chance, as I winna ensure ye, if ye dinna mend your manners?—And what are ye maundering and greeting for, as if a word were breaking your banes?—Gang in by, and be a better bairn another time, and tell Peggy to gie ye a bicker o' broth, for ye'll be as gleg as a gled, I'se warrant ye.—It's a fatherless bairn, Mr. Saddletree, and motherless, whilk in some cases may be waur, and ane would take care o' him if they could—it's a Christian duty."

"Very true, gudewife," said Saddletree, in reply, "we are *in loco parentis* to him during his years of pupillarity, and I hae had thoughts of applying to the Court for a commission as factor *loco tutoris*, seeing there is nae tutor nominate, and the tutor-at-law declines to act; but only I fear the expense of the procedure wad not be *in rem versam*, for I am not aware if Willie has ony effects whereof to assume the administration."

He concluded this sentence with a self-important cough, as one who has laid down the law in an indisputable manner.

"Effects!" said Mrs. Saddletree, "what effects has the puir wean?—he was in rags when his mother died; and the blue polonie that Effie made for him out of an auld mantle of my ain, was the first decent dress the bairn ever had on. Poor Effie! can ye tell me now really, wi' a' your law, will her life be in danger, Mr. Saddletree, when they arena able to prove that ever there was a bairn ava?"

"Whoy," said Mr. Saddletree, delighted at having for once in his life seen his wife's attention arrested by a topic of legal discussion—"Whoy, there are two sorts of *murdrum* or *murdragium*, or what you *populariter et vulgariter* call murther. I mean there are many sorts; for there's your *murthrum per vigilias et insidias*, and your *murthrum* under trust."

"I am sure," replied his moiety, "that murther by trust is the way that the gentry murther us merchants, and whiles make us shut the booth up—but that has naething to do wi' Effie's misfortune."

"The case of Effie (or Euphemia) Deans," resumed Saddletree, "is one of those cases of murder presumptive, that is, a murder of the law's inferring or construction, being derived from certain *indicia*, or grounds of suspicion."

"So that," said the good woman, "unless poor Effie has communicated her situation, she'll be hanged by the neck, if the bairn was still-born, or if it be alive at this moment?"

"Assuredly," said Saddletree, "it being a statute made by our Sovereign Lord and Lady, to prevent the horrid

delict of bringing forth children in secret—The crime is rather a favourite of the law, this species of murther being one of its ain creation."

"Then, if the law makes murders," said Mrs. Saddletree, "the law should be hanged for them; or if they wad hang a lawyer instead, the country wad find nae faut."

A summons to their frugal dinner interrupted the farther progress of the conversation, which was otherwise like to take a turn much less favourable to the science of jurisprudence and its professors, than Mr. Bartoline Saddletree, the fond admirer of both, had at its opening anticipated.

CHAPTER VI.

But up then raise all Edinburgh,
They all rose up by thousands three.

JOHNNIE ARMSTRANG'S *Goodnight.*

BUTLER, on his departure from the sign of the Golden Nag, went in quest of a friend of his connected with the law, of whom he wished to make particular inquiries concerning the circumstances in which the unfortunate young woman mentioned in the last chapter was placed, having, as the reader has probably already conjectured, reasons much deeper than those dictated by mere humanity, for interesting himself in her fate. He found the person he sought absent from home, and was equally unfortunate in one or two other calls which he made upon acquaintances whom he hoped to interest in her story. But every body was, for the moment, stark-mad on the subject of Porteous, and engaged busily in attacking or defending the measures of government in reprieving him; and the ardour of dispute had excited such universal thirst, that half the young lawyers and writers, together with their very clerks, the class whom Butler was looking after, had adjourned the debate to some favourite tavern. It was computed by an experienced arithmetician, that there was as much twopenny ale consumed on the discussion as would have floated a first-rate man-of-war.

Butler wandered about until it was dusk, resolving to

take that opportunity of visiting the unfortunate young woman, when his doing so might be least observed; for he had his own reasons for avoiding the remarks of Mrs. Saddletree, whose shop-door opened at no great distance from that of the jail, though on the opposite or south side of the street, and a little higher up. He passed, therefore, through the narrow and partly-covered passage leading from the north-west end of the Parliament Square.

He stood now before the Gothic entrance of the ancient prison, which, as is well-known to all men, rears its ancient front in the very middle of the High Street, forming, as it were, the termination to a huge pile of buildings called the Luckenbooths, which, for some inconceivable reason, our ancestors had jammed into the midst of the principal street of the town, leaving for passage a narrow street on the north, and on the south, into which the prison opens, a narrow crooked lane, winding betwixt the high and sombre walls of the Tolbooth and the adjacent houses on the one side, and the buttresses and projections of the old Cathedral upon the other. To give some gaiety to this sombre passage, (well known by the name of the Krames,) a number of little booths or shops, after the fashion of cobblers' stalls, are plastered, as it were, against the Gothic projections and abutments, so that it seemed as if the traders had occupied with nests, bearing the same proportion to the building, every buttress and coign of vantage, as the martlett did in Macbeth's Castle. Of later years these booths have degenerated into mere toy-shops, where the little loiterers chiefly interested in such wares are tempted to linger, enchanted by the rich display of hobby-horses, babies, and Dutch toys, arranged in artful and gay confusion; yet half-scared by the cross

looks of the withered pantaloon, or spectacled old lady, by whom these tempting stores are watched and superintended. But in the times we write of, the hosiers, the glovers, the hatters, the mercers, the milliners, and all who dealt in the miscellaneous wares now termed haberdasher's goods, were to be found in this narrow alley.

To return from our digression. Butler found the outer turnkey, a tall thin old man with long, silver hair, in the act of locking the outward door of the jail. He addressed himself to this person, and asked admittance to Effie Deans, confined upon accusation of child-murder. The turnkey looked at him earnestly, and, civilly touching his hat out of respect to Butler's black coat and clerical appearance, replied, "It was impossible any one could be admitted at present."

"You shut up earlier than usual, probably on account of Captain Porteous's affair?" said Butler.

The turnkey, with the true mystery of a person in office, gave two grave nods, and withdrawing from the wards a ponderous key of about two feet in length, he proceeded to shut a strong plate of steel, which folded down above the keyhole, and was secured by a steel spring and catch. Butler stood still instinctively while the door was made fast, and then looking at his watch, walked briskly up the street, muttering to himself, almost unconsciously—

> Porta adversa, ingens, solidoque adamante columnæ;
> Vis ut nulla virûm, non ipsi exscindere ferro
> Cœlicolæ valeant—Stat ferrea turris ad auras—&c.*

* Wide is the fronting gate, and, raised on high,
With adamantine columns threats the sky;
Vain is the force of man, and Heaven's as vain,
To crush the pillars which the pile sustain;
Sublime on these a tower of steel is rear'd.
DRYDEN'S *Virgil*, Book vi.

Having wasted half an hour more in a second fruitless attempt to find his legal friend and adviser, he thought it time to leave the city and return to his place of residence, in a small village about two miles and a half to the southward of Edinburgh. The metropolis was at this time surrounded by a high wall, with battlements and flanking projections at some intervals, and the access was through gates, called in the Scottish language *ports*, which were regularly shut at night. A small fee to the keepers would indeed procure egress and ingress at any time, through a wicket left for that purpose in the large gate; but it was of some importance, to a man so poor as Butler, to avoid even this slight pecuniary mulct; and fearing the hour of shutting the gates might be near, he made for that to which he found himself nearest, although, by doing so, he somewhat lengthened his walk homewards. Bristo Port was that by which his direct road lay, but the West Port, which leads out of the Grassmarket, was the nearest of the city gates to the place where he found himself, and to that, therefore, he directed his course. He reached the port in ample time to pass the circuit of the walls, and entered a suburb called Portsburgh, chiefly inhabited by the lower order of citizens and mechanics. Here he was unexpectedly interrupted.

He had not gone far from the gate before he heard the sound of a drum, and to his great surprise, met a number of persons, sufficient to occupy the whole front of the street, and form a considerable mass behind, moving with great speed towards the gate he had just come from, and having in front of them a drum beating to arms. While he considered how he should escape a party, assembled as it might be presumed, for no lawful purpose, they came full on him and stopped him.

"Are you a clergyman?" one questioned him.

Butler replied that "he was in orders, but was not a placed minister."

"It's Mr. Butler from Libberton," said a voice from behind; "he'll discharge the duty as weel as ony man."

"You must turn back with us, sir," said the first speaker, in a tone civil but peremptory.

"For what purpose, gentlemen?" said Mr. Butler. "I live at some distance from town—the roads are unsafe by night—you will do me a serious injury by stopping me."

"You shall be sent safely home—no man shall touch a hair of your head—but you must and shall come along with us."

"But to what purpose or end, gentlemen?" said Butler. "I hope you will be so civil as to explain that to me."

"You shall know that in good time. Come along—for come you must, by force or fair means; and I warn you to look neither to the right hand nor the left, and to take no notice of any man's face, but consider all that is passing before you as a dream."

"I would it were a dream I could awaken from," said Butler to himself; but having no means to oppose the violence with which he was threatened, he was compelled to turn round and march in front of the rioters, two men partly supporting, and partly holding him. During this parley the insurgents had made themselves masters of the West Port, rushing upon the Waiters, (so the people were called who had the charge of the gates,) and possessing themselves of the keys. They bolted and barred the folding doors, and commanded the person, whose duty it usually was, to secure the wicket, of which they did

not understand the fastenings. The man, terrified at an incident so totally unexpected, was unable to perform his usual office, and gave the matter up after several attempts. The rioters, who seemed to have come prepared for every emergency, called for torches, by the light of which they nailed up the wicket with long nails, which, it seemed probable, they had provided on purpose.

While this was going on, Butler could not, even if he had been willing, avoid making remarks on the individuals who seemed to lead this singular mob. The torch-light, while it fell on their forms and left him in the shade, gave him an opportunity to do so without their observing him. Several of those who seemed most active were dressed in sailors' jackets, trousers, and sea caps; others in large loose-bodied great-coats, and slouched hats; and there were several who, judging from their dress, should have been called women, whose rough deep voices, uncommon size, and masculine deportment and mode of walking, forbade them being so interpreted. They moved as if by some well-concerted plan of arrangement. They had signals by which they knew, and nicknames by which they distinguished each other. Butler remarked, that the name of Wildfire was used among them, to which one stout Amazon seemed to reply.

The rioters left a small party to observe the West Port, and directed the Waiters, as they valued their lives, to remain within their lodge, and make no attempt for that night to repossess themselves of the gate. They then moved with rapidity along the low street called the Cowgate, the mob of the city everywhere rising at the sound of their drum, and joining them. When the multitude arrived at the Cowgate Port, they secured it with as little opposition as the former, made it fast, and left a

small party to observe it. It was afterwards remarked, as a striking instance of prudence and precaution, singularly combined with audacity, that the parties left to guard those gates did not remain stationary on their posts, but flitted to and fro, keeping so near the gates as to see that no efforts were made to open them, yet not remaining so long as to have their persons closely observed. The mob, at first only about one hundred strong, now amounted to thousands, and were increasing every moment. They divided themselves so as to ascend with more speed the various narrow lanes which lead up from the Cowgate to the High Street; and still beating to arms as they went, and calling on all true Scotsmen to join them, they now filled the principal street of the city.

The Netherbow Port might be called the Temple-bar of Edinburgh, as, intersecting the High street at its termination, it divided Edinburgh, properly so called, from the suburb named the Canongate, as Temple-bar separates London from Westminster. It was of the utmost importance to the rioters to possess themselves of this pass, because there was quartered in the Canongate at that time a regiment of infantry, commanded by Colonel Moyle, which might have occupied the city by advancing through this gate, and would possess the power of totally defeating their purpose. The leaders therefore hastened to the Netherbow Port, which they secured in the same manner, and with as little trouble, as the other gates, leaving a party to watch it, strong in proportion to the importance of the post.

The next object of these hardy insurgents was at once to disarm the City Guard, and to procure arms for themselves; for scarce any weapons but staves and bludgeons had been yet seen among them. The Guard-house was

a long, low, ugly building, (removed in 1718,) which to a fanciful imagination might have suggested the idea of a long black snail crawling up the middle of the High Street, and deforming its beautiful esplanade. This formidable insurrection had been so unexpected, that there were no more than the ordinary sergeant's guard of the city-corps upon duty; even these were without any supply of powder and ball; and sensible enough what had raised the storm, and which way it was rolling, could hardly be supposed very desirous to expose themselves by a valiant defence to the animosity of so numerous and desperate a mob, to whom they were on the present occasion much more than usually obnoxious.

There was a sentinel upon guard, who (that one town-guard soldier might do his duty on that eventful evening) presented his piece, and desired the foremost of the rioters to stand off. The young Amazon, whom Butler had observed particularly active, sprung upon the soldier, seized his musket, and after a struggle succeeded in wrenching it from him, and throwing him down on the causeway. One or two soldiers, who endeavoured to turn out to the support of their sentinel, were in the same manner seized and disarmed, and the mob without difficulty possessed themselves of the Guard-house, disarming and turning out of doors the rest of the men on duty. It was remarked, that notwithstanding the city soldiers had been the instruments of the slaughter which this riot was designed to revenge, no ill usage or even insult was offered to them. It seemed as if the vengeance of the people disdained to stoop at any head meaner than that which they considered as the source and origin of their injuries.

On possessing themselves of the guard, the first act of the multitude was to destroy the drums, by which they

supposed an alarm might be conveyed to the garrison in the Castle; for the same reason they now silenced their own, which was beaten by a young fellow, son to the drummer of Portsburgh, whom they had forced upon that service. Their next business was to distribute among the boldest of the rioters the guns, bayonets, partisans, halberts, and battle or Lochaber axes. Until this period the principal rioters had preserved silence on the ultimate object of their rising, as being that which all knew but none expressed. Now, however, having accomplished all the preliminary parts of their design, they raised a tremendous shout of "Porteous! Porteous! To the Tolbooth! To the Tolbooth!"

They proceeded with the same prudence when the object seemed to be nearly in their grasp, as they had done hitherto when success was more dubious. A strong party of the rioters, drawn up in front of the Luckenbooths, and facing down the street, prevented all access from the eastward, and the west end of the defile formed by the Luckenbooths was secured in the same manner; so that the Tolbooth was completely surrounded, and those who undertook the task of breaking it open effectually secured against the risk of interruption.

The magistrates, in the meanwhile, had taken the alarm, and assembled in a tavern, with the purpose of raising some strength to subdue the rioters. The deacons, or presidents of the trades, were applied to, but declared there was little chance of their authority being respected by the craftsmen, where it was the object to save a man so obnoxious. Mr. Lindsay, member of parliament for the city, volunteered the perilous task of carrying a verbal message from the Lord Provost to Colonel Moyle, the commander of the regiment lying in the Canongate, re-

questing him to force the Netherbow Port, and enter the city to put down the tumult. But Mr. Lindsay declined to charge himself with any written order, which, if found on his person by an enraged mob, might have cost him his life; and the issue of the application was, that Colonel Moyle, having no written requisition from the civil authorities, and having the fate of Porteous before his eyes as an example of the severe construction put by a jury on the proceedings of military men acting on their own responsibility, declined to encounter the risk to which the Provost's verbal communication invited him.

More than one messenger was despatched by different ways to the Castle, to require the commanding officer to march down his troops, to fire a few cannon-shot, or even to throw a shell among the mob, for the purpose of clearing the streets. But so strict and watchful were the various patrols whom the rioters had established in different parts of the streets, that none of the emissaries of the magistrates could reach the gate of the Castle. They were, however, turned back without either injury or insult, and with nothing more of menace than was necessary to deter them from again attempting to accomplish their errand.

The same vigilance was used to prevent every body of the higher, and those which, in this case, might be deemed the more suspicious orders of society, from appearing in the street, and observing the movements, or distinguishing the persons, of the rioters. Every person in the garb of a gentleman was stopped by small parties of two or three of the mob, who partly exhorted, partly required of them, that they should return to the place from whence they came. Many a quadrille table was spoilt that memorable evening; for the sedan chairs of ladies, even

of the highest rank, were interrupted in their passage from one point to another, in despite of the laced footmen and blazing flambeaux. This was uniformly done with a deference and attention to the feelings of the terrified females, which could hardly have been expected from the videttes of a mob so desperate. Those who stopped the chair usually made the excuse, that there was much disturbance on the streets, and that it was absolutely necessary for the lady's safety that the chair should turn back. They offered themselves to escort the vehicles which they had thus interrupted in their progress, from the apprehension, probably, that some of those who had casually united themselves to the riot, might disgrace their systematic and determined plan of vengeance, by those acts of general insult and license which are common on similar occasions.

Persons are yet living who remember to have heard from the mouths of ladies thus interrupted on their journey in the manner we have described, that they were escorted to their lodgings by the young men who stopped them, and even handed out of their chairs, with a polite attention far beyond what was consistent with their dress, which was apparently that of journeymen mechanics.* It seemed as if the conspirators, like those who assassinated Cardinal Beatoun in former days, had entertained the opinion, that the work about which they went was a judgment of Heaven, which, though unsanctioned by the

* A near relation of the author's used to tell of having been stopped by the rioters, and escorted home in the manner described. On reaching her own home, one of her attendants, in appearance, a *baxter*, *i. a.*, a baker's lad, handed her out of her chair, and took leave with a bow, which, in the lady's opinion, argued breeding that could hardly be learned at the oven's mouth.

usual authorities, ought to be proceeded in with order and gravity.

While their outposts continued thus vigilant, and suffered themselves neither from fear nor curiosity to neglect that part of the duty assigned to them, and while the main guards to the east and west secured them against interruption, a select body of the rioters thundered at the door of the jail, and demanded instant admission. No one answered, for the outer keeper had prudently made his escape with the keys at the commencement of the riot, and was nowhere to be found. The door was instantly assailed with sledge-hammers, iron-crows, and the coulters of ploughs, ready provided for the purpose, with which they prized, heaved, and battered for some time with little effect; for the door, besides being of double oak planks, clenched, both end-long and athwart, with broad-headed nails, was so hung and secured as to yield to no means of forcing, without the expenditure of much time. The rioters, however, appeared determined to gain admittance. Gang after gang relieved each other at the exercise, for, of course, only a few could work at once; but gang after gang retired, exhausted with their violent exertions, without making much progress in forcing the prison-door. Butler had been led up near to this the principal scene of action; so near, indeed, that he was almost deafened by the unceasing clang of the heavy forehammers against the iron-bound portal of the prison. He began to entertain hopes, as the task seemed protracted, that the populace might give it over in despair, or that some rescue might arrive to disperse them. There was a moment at which the latter seemed probable.

The magistrates, having assembled their officers, and

some of the citizens who were willing to hazard themselves for the public tranquillity, now sallied forth from the tavern where they held their sitting, and approached the point of danger. Their officers went before them with links and torches, with a herald to read the riot act, if necessary. They easily drove before them the outposts and videttes of the rioters; but when they approached the line of guard which the mob, or rather, we should say, the conspirators, had drawn across the street in the front of the Luckenbooths, they were received with an unintermitted volley of stones, and, on their nearer approach, the pikes, bayonets, and Lochaber axes, of which the populace had possessed themselves, were presented against them. One of their ordinary officers, a strong resolute fellow, went forward, seized a rioter, and took from him a musket; but, being unsupported, he was instantly thrown on his back in the street, and disarmed in his turn. The officer was too happy to be permitted to rise and run away without receiving any farther injury; which afforded another remarkable instance of the mode in which these men had united a sort of moderation towards all others, with the most inflexible inveteracy against the object of their resentment. The magistrates, after vain attempts to make themselves heard and obeyed, possessing no means of enforcing their authority, were constrained to abandon the field to the rioters, and retreat in all speed from the showers of missiles that whistled around their ears.

The passive resistance of the Tolbooth-gate promised to do more to baffle the purpose of the mob than the active interference of the magistrates. The heavy sledge-hammers continued to din against it without intermission, and with a noise which echoed from the lofty buildings

around the spot, seemed enough to have alarmed the garrison in the Castle. It was circulated among the rioters, that the troops would march down to disperse them, unless they could execute their purpose without loss of time; or that, even without quitting the fortress, the garrison might obtain the same end by throwing a bomb or two upon the street.

Urged by such motives for apprehension, they eagerly relieved each other at the labour of assailing the Tolbooth door: yet such was its strength, that it still defied their efforts. At length a voice was heard to pronounce the words, "Try it with fire." The rioters, with an unanimous shout, called for combustibles, and as all their wishes seemed to be instantly supplied, they were soon in possession of two or three empty tar-barrels. A huge red glaring bonfire speedily arose close to the door of the prison, sending up a tall column of smoke and flame against its antique turrets and strongly-grated windows, and illuminating the ferocious and wild gestures of the rioters who surrounded the place, as well as the pale and anxious groups of those, who, from windows in the vicinage watched the progress of this alarming scene. The mob fed the fire with whatever they could find fit for the purpose. The flames roared and crackled among the heaps of nourishment piled on the fire, and a terrible shout soon announced that the door had kindled, and was in the act of being destroyed. The fire was suffered to decay, but, long ere it was quite extinguished, the most forward of the rioters rushed, in their impatience, one after another, over its yet smouldering remains. Thick showers of sparkles rose high in the air, as man after man bounded over the glowing embers, and disturbed them in their passage. It was now obvious to Butler,

and all others who were present, that the rioters would be instantly in possession of their victim, and have it in their power to work their pleasure upon him, whatever that might be.*

* The ancient Tolbooth of Edinburgh, situated as described in this chapter, was built by the citizens in 1561, and destined for the accommodation of Parliament, as well as of the High Courts of Justice; and at the same time for the confinement of prisoners for debt, or on criminal charges. Since the year 1640, when the present Parliament House was erected, the Tolbooth was occupied as a prison only. Gloomy and dismal as it was, the situation in the centre of the High Street rendered it so particularly well-aired, that when the plague laid waste the city in 1645, it affected none within these melancholy precincts. The Tolbooth was removed, with the mass of buildings in which it was incorporated, in the autumn of the year 1817. At that time the kindness of his old schoolfellow and friend, Robert Johnstone, Esquire, then Dean of Guild of the city, with the liberal acquiescence of the persons who had contracted for the work, procured for the Author of Waverley the stones which composed the gateway, together with the door, and its ponderous fastenings, which he employed in decorating the entrance of his kitchen-court at Abbotsford. "To such base offices may we return." The application of these relics of the Heart of Mid-Lothian to serve as the postern-gate to a court of modern offices, may be justly ridiculed as whimsical; but yet it is not without interest, that we see the gateway through which so much of the stormy politics of a rude age, and the vice and misery of later times, had found their passage, now occupied in the service of rural economy. Last year, to complete the change, a tomtit was pleased to build her nest within the lock of the Tolbooth,—a strong temptation to have committed a sonnet, had the author, like Tony Lumpkin, been in a concatenation accordingly.

It is worth mentioning, that an act of beneficence celebrated the demolition of the Heart of Mid-Lothian. A subscription raised and applied by the worthy Magistrate above-mentioned, procured the manumission of most of the unfortunate debtors confined in the old jail, so that there were few or none transferred to the new place of confinement.

CHAPTER VII.

The evil you teach us, we will execute; and it shall go hard but we will better the instruction.

MERCHANT OF VENICE.

THE unhappy object of this remarkable disturbance had been that day delivered from the apprehension of public execution, and his joy was the greater, as he had some reason to question whether government would have run the risk of unpopularity by interfering in his favour, after he had been legally convicted by the verdict of a jury, of a crime so very obnoxious. Relieved from this doubtful state of mind, his heart was merry within him, and he thought, in the emphatic words of Scripture on a similar occasion, that surely the bitterness of death was past. Some of his friends, however, who had watched the manner and behaviour of the crowd when they were made acquainted with the reprieve, were of a different opinion. They augured, from the unusual sternness and silence with which they bore their disappointment, that the populace nourished some scheme of sudden and desperate vengeance; and they advised Porteous to lose no time in petitioning the proper authorities, that he might be conveyed to the Castle under a sufficient guard, to remain there in security until his ultimate fate should be determined. Habituated, however, by his office, to overawe the rabble of the city, Porteous could not suspect

them of an attempt so audacious as to storm a strong and defensible prison; and, despising the advice by which he might have been saved, he spent the afternoon of the eventful day in giving an entertainment to some friends who visited him in jail, several of whom by the indulgence of the Captain of the Tolbooth, with whom he had an old intimacy, arising from their official connexion, were even permitted to remain to supper with him, though contrary to the rules of the jail.

It was, therefore, in the hour of unalloyed mirth, when this unfortunate wretch was "full of bread," hot with wine, and high in mistimed and ill-grounded confidence, and, alas! with all his sins full blown, when the first distant shouts of the rioters mingled with the song of merriment and intemperance. The hurried call of the jailor to the guests, requiring them instantly to depart, and his yet more hasty intimation that a dreadful and determined mob had possessed themselves of the city gates and guard-house, were the first explanation of these fearful clamours.

Porteous might, however, have eluded the fury from which the force of authority could not protect him, had he thought of slipping on some disguise, and leaving the prison along with his guests. It is probable that the jailor might have connived at his escape, or even that, in the hurry of this alarming contingency, he might not have observed it. But Porteous and his friends alike wanted presence of mind to suggest or execute such a plan of escape. The former hastily fled from a place where their own safety seemed compromised, and the latter, in a state resembling stupefaction, awaited in his apartment the termination of the enterprise of the rioters. The cessation of the clang of the instruments with which

they had at first attempted to force the door, gave him momentary relief. The flattering hopes, that the military had marched into the city, either from the Castle or from the suburbs, and that the rioters were intimidated and dispersing, were soon destroyed by the broad and glaring light of the flames, which, illuminating through the grated window every corner of his apartment, plainly showed that the mob, determined on their fatal purpose, had adopted a means of forcing entrance equally desperate and certain.

The sudden glare of light suggested to the stupefied and astonished object of popular hatred the possibility of concealment or escape. To rush to the chimney, to ascend it at the risk of suffocation, were the only means which seem to have occurred to him; but his progress was speedily stopped by one of those iron gratings, which are, for the sake of security, usually placed across the vents of buildings designed for imprisonment. The bars, however, which impeded his farther progress, served to support him in the situation which he had gained, and he seized them with the tenacious grasp of one who esteemed himself clinging to his last hope of existence. The lurid light, which had filled the apartment, lowered and died away; the sound of shouts was heard within the walls, and on the narrow and winding stair, which, cased within one of the turrets, gave access to the upper apartments of the prison. The huzza of the rioters was answered by a shout wild and desperate as their own, the cry, namely, of the imprisoned felons, who, expecting to be liberated in the general confusion, welcomed the mob as their deliverers. By some of these the apartment of Porteous was pointed out to his enemies. The obstacle of the lock and bolts was soon overcome, and from his

hiding-place the unfortunate man heard his enemies search every corner of the apartment, with oaths and maledictions, which would but shock the reader if we recorded them, but which serve to prove, could it have admitted of doubt, the settled purpose of soul with which they sought his destruction.

A place of concealment so obvious to suspicion and scrutiny as that which Porteous had chosen, could not long screen him from detection. He was dragged from his lurking-place with a violence which seemed to argue an intention to put him to death on the spot. More than one weapon was directed towards him, when one of the rioters, the same whose female disguise had been particularly noticed by Butler, interfered in an authoritative tone. "Are ye mad?" he said, "or would ye execute an act of justice as if it were a crime and a cruelty? This sacrifice will lose half its savour if we do not offer it at the very horns of the altar. We will have him die where a murderer should die, on the common gibbet—We will have him die where he spilled the blood of so many innocents!"

A loud shout of applause followed the proposal, and the cry, "To the gallows with the murderer!—To the Grassmarket with him!" echoed on all hands.

"Let no man hurt him," continued the speaker; "let him make his peace with God, if he can; we will not kill both his soul and body."

"What time did he give better folk for preparing their account?" answered several voices. "Let us mete to him with the same measure he measured to them."

But the opinion of the spokesman better suited the temper of those he addressed, a temper rather stubborn than impetuous, sedate though ferocious, and desirous of

colouring their cruel and revengeful action with a show of justice and moderation.

For an instant this man quitted the prisoner, whom he consigned to a selected guard, with instructions to permit him to give his money and property to whomsoever he pleased. A person confined in the jail for debt received this last deposit from the trembling hand of the victim, who was at the same time permitted to make some other brief arrangements to meet his approaching fate. The felons, and all others who wished to leave the jail, were now at full liberty to do so; not that their liberation made any part of the settled purpose of the rioters, but it followed as almost a necessary consequence of forcing the jail-doors. With wild cries of jubilee they joined the mob, or disappeared among the narrow lanes to seek out the hidden receptacles of vice and infamy, where they were accustomed to lurk and conceal themselves from justice.

Two persons, a man about fifty years old, and a girl about eighteen, were all who continued within the fatal walls, excepting two or three debtors, who probably saw no advantage in attempting their escape. The persons we have mentioned remained in the strong-room of the prison, now deserted by all others. One of their late companions in misfortune called out to the man to make his escape, in the tone of an acquaintance. "Rin for it, Ratcliffe—the road's clear."

"It may be sae, Willie," answered Ratcliffe, composedly, "but I have taen a fancy to leave aff trade, and set up for an honest man."

"Stay there and be hanged, then, for a donnard auld deevil!" said the other, and ran down the prison-stair.

The person in female attire whom we have distinguished

as one of the most active rioters, was about the same time at the ear of the young woman. "Flee, Effie, flee!" was all he had time to whisper. She turned towards him an eye of mingled fear, affection, and upbraiding, all contending with a sort of stupefied surprise. He again repeated, "Flee, Effie, flee! for the sake of all that's good and dear to you!" Again she gazed on him, but was unable to answer. A loud noise was now heard, and the name of Madge Wildfire was repeatedly called from the bottom of the staircase.

"I am coming,—I am coming," said the person who answered to that appellative; and then reiterating hastily, "For God's sake—for your own sake—for my sake, flee, or they'll take your life!" he left the strong-room.

The girl gazed after him for a moment, and then, faintly muttering "Better tyne life, since tint is gude fame," she sunk her head upon her hand, and remained, seemingly, unconscious as a statue, of the noise and tumult which passed around her.

That tumult was now transferred from the inside to the outside of the Tolbooth. The mob had brought their destined victim forth, and were about to conduct him to the common place of execution, which they had fixed as the scene of his death. The leader, whom they distinguished by the name of Madge Wildfire, had been summoned to assist at the procession by the impatient shouts of his confederates.

"I will ensure you five hundred pounds," said the unhappy man, grasping Wildfire's hand,—"five hundred pounds for to save my life."

The other answered in the same under-tone, and returning his grasp with one equally convulsive, "Five

hundred-weight of coined gold should not save you.—Remember Wilson!"

A deep pause of a minute ensued, when Wildfire added, in a more composed tone, "Make your peace with Heaven.—Where is the clergyman?"

Butler, who, in great terror and anxiety, had been detained within a few yards of the Tolbooth door, to wait the event of the search after Porteous, was now brought forward, and commanded to walk by the prisoner's side, and to prepare him for immediate death. His answer was a supplication that the rioters would consider what they did. "You are neither judges nor jury," said he. "You cannot have, by the laws of God or man, power to take away the life of a human creature, however deserving he may be of death. If it is murder even in a lawful magistrate to execute an offender otherwise than in the place, time, and manner which the judges' sentence prescribes, what must it be in you, who have no warrant for interference but your own wills? In the name of Him who is all mercy, show mercy to this unhappy man, and do not dip your hands in his blood, nor rush into the very crime which you are desirous of avenging!"

"Cut your sermon short—you are not in your pulpit," answered one of the rioters.

"If we hear more of your clavers," said another, "we are like to hang you up beside him."

"Peace—hush!" said Wildfire. "Do the good man no harm—he discharges his conscience, and I like him the better."

He then addressed Butler. "Now, sir, we have patiently heard you, and we just wish you to understand, in the way of answer, that you may as well argue to the ashler-work and iron-stanchels of the Tolbooth, as think

to change our purpose—Blood must have blood. We have sworn to each other by the deepest oaths ever were pledged, that Porteous shall die the death he deserves so richly; therefore, speak no more to us, but prepare him for death as well as the briefness of his change will permit."

They had suffered the unfortunate Porteous to put on his night-gown and slippers, as he had thrown off his coat and shoes, in order to facilitate his attempted escape up the chimney. In this garb he was now mounted on the hands of two of the rioters, clasped together, so as to form what is called in Scotland, "The King's Cushion." Butler was placed close to his side, and repeatedly urged to perform a duty always the most painful which can be imposed on a clergyman deserving of the name, and now rendered more so by the peculiar and horrid circumstances of the criminal's case. Porteous at first uttered some supplications for mercy, but when he found that there was no chance that these would be attended to, his military education, and the natural stubbornness of his disposition, combined to support his spirits.

"Are you prepared for this dreadful end?" said Butler, in a faltering voice. "O turn to Him, in whose eyes time and space have no existence, and to whom a few minutes are as a lifetime, and a lifetime as a minute."

"I believe I know what you would say," answered Porteous sullenly. "I was bred a soldier; if they will murder me without time, let my sins as well as my blood lie at their door."

"Who was it," said the stern voice of Wildfire, "that said to Wilson, at this very spot, when he could not pray, owing to the galling agony of his fetters, that his pains would soon be over?—I say to you to take your own tale

home; and if you cannot profit by the good man's lessons, blame not them that are still more merciful to you than you were to others."

The procession now moved forward with a slow and determined pace. It was enlightened by many blazing links and torches; for the actors of this work were so far from affecting any secrecy on the occasion, that they seemed even to court observation. Their principal leaders kept close to the person of the prisoner, whose pallid yet stubborn features were seen distinctly by the torch-light, as his person was raised considerably above the concourse which thronged around him. Those who bore swords, muskets, and battle-axes, marched on each side, as if forming a regular guard to the procession. The windows, as they went along, were filled with the inhabitants, whose slumbers had been broken by this unusual disturbance. Some of the spectators muttered accents of encouragement; but in general they were so much appalled by a sight so strange and audacious, that they looked on with a sort of stupefied astonishment. No one offered, by act or word, the slightest interruption.

The rioters, on their part, continued to act with the same air of deliberate confidence and security which had marked all their proceedings. When the object of their resentment dropped one of his slippers, they stopped, sought for it, and replaced it upon his foot with great deliberation.* As they descended the Bow towards the fatal spot where they designed to complete their purpose, it was suggested that there should be a rope kept in

* This little incident, characteristic of the extreme composure of this extraordinary mob, was witnessed by a lady, who, disturbed, like others, from her slumbers, had gone to the window. It was told to the author by the lady's daughter.

readiness. For this purpose the booth of a man who dealt in cordage was forced open, a coil of rope fit for their purpose was selected to serve as a halter, and the dealer next morning found that a guinea had been left on his counter in exchange; so anxious were the perpetrators of this daring action to shew that they meditated not the slightest wrong or infraction of law, excepting so far as Porteous was himself concerned.

Leading, or carrying along with them, in this determined and regular manner, the object of their vengeance, they at length reached the place of common execution, the scene of his crime, and destined spot of his sufferings. Several of the rioters (if they should not rather be described as conspirators) endeavoured to remove the stone which filled up the socket in which the end of the fatal tree was sunk when it was erected for its fatal purpose; others sought for the means of constructing a temporary gibbet, the place in which the gallows itself was deposited being reported too secure to be forced, without much loss of time. Butler endeavoured to avail himself of the delay afforded by these circumstances, to turn the people from their desperate design. "For God's sake," he exclaimed, "remember it is the image of your Creator which you are about to deface in the person of this unfortunate man! Wretched as he is, and wicked as he may be, he has a share in every promise of Scripture, and you cannot destroy him in impenitence without blotting his name from the Book of Life—Do not destroy soul and body; give time for preparation."

"What time had they," returned a stern voice, "whom he murdered on this very spot?—The laws both of God and man call for his death."

"But what, my friends," insisted Butler, with a gener-

ous disregard to his own safety—"what hath constituted you his judges?"

"We are not his judges," replied the same person; "he has been already judged and condemned by lawful authority. We are those whom Heaven, and our own righteous anger, have stirred up to execute judgment, when a corrupt government would have protected a murderer."

"I am none," said the unfortunate Porteous; "that which you charge upon me fell out in self-defence, in the lawful exercise of my duty."

"Away with him—away with him!" was the general cry. "Why do you trifle away time in making a gallows?—that dyester's pole is good enough for the homicide."

The unhappy man was forced to his fate with remorseless rapidity. Butler, separated from him by the press, escaped the last horrors of his struggles. Unnoticed by those who had hitherto detained him as a prisoner, he fled from the fatal spot without much caring in what direction his course lay. A loud shout proclaimed the stern delight with which the agents of this deed regarded its completion. Butler, then, at the opening into the low street called the Cowgate, cast back a terrified glance, and, by the red and dusky light of the torches, he could discern a figure wavering and struggling as it hung suspended above the heads of the multitude, and could even observe men striking at it with their Lochaber-axes and partisans. The sight was of a nature to double his horror, and to add wings to his flight.

The street down which the fugitive ran, opens to one of the eastern ports or gates of the city. Butler did not stop till he reached it, but found it still shut. He waited

nearly an hour, walking up and down in inexpressible perturbation of mind. At length he ventured to call out, and rouse the attention of the terrified keepers of the gate, who now found themselves at liberty to resume their office without interruption. Butler requested them to open the gate. They hesitated. He told them his name and occupation.

"He is a preacher," said one; "I have heard him preach in Haddo's-hole."

"A fine preaching has he been at the night," said another; "but maybe least said is sunest mended."

Opening then the wicket of the main-gate the keepers suffered Butler to depart, who hastened to carry his horror and fear beyond the walls of Edinburgh. His first purpose was, instantly to take the road homeward; but other fears and cares, connected with the news he had learned in that remarkable day, induced him to linger in the neighbourhood of Edinburgh until daybreak. More than one group of persons passed him as he was whileing away the hours of darkness that yet remained, whom, from the stifled tones of their discourse, the unwonted hour when they travelled, and the hasty pace at which they walked, he conjectured to have been engaged in the late fatal transaction.

Certain it was, that the sudden and total dispersion of the rioters, when their vindictive purpose was accomplished, seemed not the least remarkable feature of this singular affair. In general, whatever may be the impelling motive by which a mob is at first raised, the attainment of their object has usually been only found to lead the way to farther excesses. But not so in the present case. They seemed completely satiated with the vengeance they had prosecuted with such stanch and sagacious activity.

When they were fully satisfied that life had abandoned their victim, they dispersed in every direction, throwing down the weapons which they had only assumed to enable them to carry through their purpose. At day-break there remained not the least token of the events of the night, excepting the corpse of Porteous, which still hung suspended in the place where he had suffered, and the arms of various kinds which the rioters had taken from the city guard-house, which were found scattered about the streets as they had thrown them from their hands, when the purpose for which they had seized them was accomplished.

The ordinary magistrates of the city resumed their power, not without trembling at the late experience of the fragility of its tenure. To march troops into the city, and commence a severe inquiry into the transactions of the preceding night, were the first marks of returning energy which they displayed. But these events had been conducted on so secure and well-calculated a plan of safety and secrecy, that there was little or nothing learned to throw light upon the authors or principal actors in a scheme so audacious. An express was despatched to London with the tidings, where they excited great indignation and surprise in the council of regency, and particularly in the bosom of Queen Caroline, who considered her own authority as exposed to contempt by the success of this singular conspiracy. Nothing was spoke of for some time save the measure of vengeance which should be taken, not only on the actors of this tragedy, so soon as they should be discovered, but upon the magistrates who had suffered it to take place, and upon the city which had been the scene where it was exhibited. On this occasion, it is still recorded in popular

tradition, that her Majesty, in the height of her displeasure, told the celebrated John, Duke of Argyle, that, sooner than submit to such an insult, she would make Scotland a hunting-field. "In that case, madam," answered that high-spirited nobleman, with a profound bow, "I will take leave of your Majesty, and go down to my own country to get my hounds ready."

The import of the reply had more than met the ear; and as most of the Scottish nobility and gentry seemed actuated by the same national spirit, the royal displeasure was necessarily checked in mid-volley, and milder courses were recommended and adopted, to some of which we may hereafter have occasion to advert.*

* The following interesting and authentic account of the inquiries made by Crown Counsel into the affair of the Porteous Mob, seems to have been drawn up by the Solicitor-General. The office was held in 1737 by Charles Erskine, Esq.

I owe this curious illustration to the kindness of a professional friend. It throws, indeed, little light on the origin of the tumult; but shews how profound the darkness must have been, which so much investigation could not dispel.

"Upon the 7th of September last, when the unhappy wicked murder of Captain Porteous was committed, His Majesty's Advocate and Solicitor were out of town; the first beyond Inverness, and the other in Annandale, not far from Carlyle; neither of them knew any thing of the reprieve, nor did they in the least suspect that any disorder was to happen.

"When the disorder happened, the magistrates and other persons concerned in the management of the town, seemed to be all struck of a heap: and whether, from the great terror that had seized all the inhabitants, they thought ane immediate enquiry would be fruitless, or whether, being a direct insult upon the prerogative of the crown, they did not care rashly to intermeddle; but no proceedings was had by them. Only, soon after, ane express was sent to his Majestie's Solicitor, who came to town as soon as was possible for him; but in the meantime, the persons who had been most guilty, had either run off, or, at least, kept themselves upon the wing until they should see what steps were taken by the Government.

"When the Solicitor arrived, he perceived the whole inhabitants under a consternation. He had no materials furnished him: nay, the inhabitants were so much afraid of being reputed informers, that very few people had so much as the courage to speak with him on the streets. However, having received her Majestie's orders, by a letter from the Duke of Newcastle, he resolved to sett about the matter in earnest, and entered upon ane enquiry, groping in the dark. He had no assistance from the magistrates worth mentioning, but called witness after witness in the privatest manner, before himself in his own house, and for six weeks time, from morning to evening, went on in the enquiry without taking the least diversion, or turning his thoughts to any other business.

"He tried at first what he could do by declarations, by engaging secresy, so that those who told the truth should never be discovered; made use of no clerk, but wrote all the declarations with his own hand, to encourage them to speak out. After all, for some time, he could get nothing but ends of stories which, when pursued, broke off; and those who appeared and knew anything of the matter, were under the utmost terror, lest it should take air that they had mentioned any one man as guilty.

"During the course of the enquiry, the run of the town, which was strong for the villanous actors, begun to alter a little, and when they saw the King's servants in earnest to do their best, the generality, who before had spoke very warmly in defence of the wickedness, began to be silent, and at that period more of the criminals began to abscond.

"At length the enquiry began to open a little, and the Sollicitor was under some difficulty how to proceed. He very well saw that the first warrand that was issued out would start the whole gang; and as he had not come at any of the most notorious offenders, he was unwilling, upon the slight evidence he had, to begin. However, upon notice given him by Generall Moyle, that one King, a butcher in the Canongate, had boasted, in presence of Bridget Knell, a soldier's wife, the morning after Captain Porteus was hanged, that he had a very active hand in the mob, a warrand was issued out, and King was apprehended, and imprisoned in the Canongate Tolbooth.

"This obliged the Sollicitor immediately to take up those against whom he had any information. By a signed declaration, William Stirling, apprentice to James Stirling, merchant in Edinburgh, was charged as haveing been at the Nether-Bow, after the gates were shutt, with a Lochaber-ax or halbert in his hand, and haveing begun a huzza, marched upon the head of the mob towards the Guard.

"James Braidwood, son to a candlemaker in town, was, by a signed

declaration, charged as haveing been at the Tolbooth door, giveing directions to the mob about setting fire to the door, and that the mob named him by his name, and asked his advice.

"By another declaration, one Stoddart, a journeyman smith, was charged of haveing boasted publickly, in a smith's shop at Leith, that he had assisted in breaking open the Tolbooth door.

"Peter Traill, a journeyman wright, by one of the declarations, was also accused of haveing lockt the Nether-Bow Port when it was shutt by the mob.

"His Majestie's Sollicitor having these informations, imployed privately such persons as he could best rely on, and the truth was, there were very few in whom he could repose confidence. But he was, indeed, faithfully served by one Webster, a soldier in the Welsh fuzileers, recommended to him by Lieutenant Alshton, who, with very great address, informed himself, and really run some risque in getting his information, concerning the places where the persons informed against used to haunt, and how they might be seized. In consequence of which, a party of the Guard from the Canongate was agreed on to march up at a certain hour, when a message should be sent. The Sollicitor wrote a letter and gave it to one of the town officers, ordered to attend Captain Maitland, one of the town Captains, promoted to that command since the unhappy accident, who, indeed, was extremely diligent and active throughout the whole; and haveing got Stirling and Braidwood apprehended, dispatched the officer with the letter to the military in the Canongate, who immediately begun their march, and by the time the Sollicitor had half examined the said two persons in the Burrow-room, where the Magistrates were present, a party of fifty men, drums beating, marched into the Parliament close, and drew up, which was the first thing that struck a terror, and from that time forward, the insolence was succeeded by fear.

"Stirling and Braidwood were immediately sent to the Castle and imprisoned. That same night, Stoddart, the smith, was seized, and he was committed to the Castle also; as was likewise Traill, the journeyman wright, who were all severally examined, and denyed the least accession.

"In the meantime, the enquiry was going on, and it haveing cast up in one of the declarations, that a hump'd-backed creature marched with a gun as one of the guards to Porteus when he went up to the Lawn Market, the person who emitted this declaration was employed to walk the streets to see if he could find him out; at last he came to the Sollicitor and told him he had found him, and that he was in a certain house. Whereupon a warrand was issued out against him, and he was apprehended and sent to the Castle, and

he proved to be one Birnie, a helper to the Countess of Weemys's coachman.

"Thereafter, ane information was given in against William M'Lauchlan, ffootman to the said Countess, he haveing been very active in the mob; ffor sometime he kept himself out of the way, but at last he was apprehended and likewise committed to the Castle.

"And these were all the prisoners who were putt under confinement in that place.

"There were other persons imprisoned in the Tolbooth of Edinburgh, and severalls against whom warrands were issued, but could not be apprehended, whose names and cases shall afterwards be more particularly taken notice of.

"The ffriends of Stirling made an application to the Earl of Islay, Lord Justice-Generall, setting furth, that he was seized with a bloody fflux; that his life was in danger; and that upon ane examination of witnesses whose names were given in, it would appear to conviction, that he had not the least access to any of the riotous proceedings of that wicked mob.

"This petition was by his Lordship putt in the hands of his Majestie's Sollicitor, who examined the witnesses; and by their testimonies it appeared, that the young man, who was not above eighteen years of age, was that night in company with about half a dozen companions, in a public house in Stephen Law's closs, near the back of the Guard, where they all remained untill the noise came to the house, that the mob had shut the gates and seized the Guard, upon which the company broke up, and he, and one of his companions, went towards his master's house; and, in the course of the after examination, there was a witness who declared, nay, indeed swore, (for the Sollicitor, by this time, saw it necessary to put those he examined upon oath,) that he met him [Stirling] after he entered into the alley where his master lives, going towards his house; and another witness, fellow-prentice with Stirling, declares, that after the mob had seized the Guard, he went home, where he found Stirling before him; and, that his master lockt the door, and kept them both at home till after twelve at night: upon weighing of which testimonies, and upon consideration had, That he was charged by the declaration only of one person, who really did not appear to be a witness of the greatest weight, and that his life was in danger from the imprisonment, he was admitted to baill by the Lord Justice-Generall, by whose warrand he was committed.

"Brandwood's friends applyed in the same manner; but as he stood charged by more than one witness, he was not released—tho', indeed, the witnesses adduced for him say somewhat in his exculpation—that

he does not seem to have been upon any original concert; and one of the witnesses says he was along with him at the Tolbooth door, and refuses what is said against him, with regard to his having advised the burning of the Tolbooth door. But he remains still in prison.

"As to Traill, the journeyman wright, he is charged by the same witness who declared against Stirling, and there is none concurrs with him; and, to say the truth concerning him, he seemed to be the most ingenuous of any of them whom the Solicitor examined, and pointed out a witness by whom one of the first accomplices was discovered, and who escaped when the warrand was to be putt in execution against them. He positively denys his having shutt the gate, and 'tis thought Traill ought to be admitted to baill.

"As to Birnie, he is charged only by one witness, who had never seen him before, nor knew his name; so, tho' I dare say the witness honestly mentioned him, 'tis possible he may be mistaken; and in the examination of above 200 witnesses there is no body concurrs with him, and he is ane insignificant little creature.

"With regard to M'Lauchlan, the proof is strong against him by one witness, that he acted as a serjeant, or sort of commander, for some time, of a Guard, that stood cross between the upper end of the Luckenbooths and the north side of the street, to stop all but friends from going towards the Tolbooth; and by other witnesses, that he was at the Tolbooth door with a link in his hand, while the operation of beating and burning it was going on; that he went along with the mob with a halbert in his hand, untill he came to the gallows stone in the Grassmarket, and that he stuck the halbert into the hole of the gallows stone: that afterwards he went in amongst the mob when Captain Porteus was carried to the dyer's tree; so that the proof seems very heavy against him.

"To sum up this matter with regard to the prisoners in the Castle, 'tis believed there is strong proof against M'Lauchlan; there is also proof against Braidwood. But, as it consists only in emission of words said to have been had by him while at the Tolbooth door, and that he is ane insignificant pitifull creature, and will find people to swear heartily in his favours, 'tis at best doubtfull whether a jury will be got to condemn him.

"As to those in the Tolbooth of Edinburgh, John Crawford, who had for some time been employed to ring the bells in the steeple of the New Church of Edinburgh, being in company with a soldier accidentally, the discourse falling in concerning Captain Porteus and his murder, as he appears to be a light-headed fellow, he said, that he knew people that were more guilty than any that were putt in prison. Upon this information, Crawford was seized, and, being examined, it

appeared, that when the mob begun, as he was comeing down from the steeple, the mob took the keys from him; that he was that night in several corners, and did indeed delate severall persons whom he saw there, and immediately warrands were despatched, and it was found they had absconded and fled. But there was no evidence against him of any kind. Nay, on the contrary, it appeared, that he had been with the Magistrates in Clerk's, the vintner's, relating to them what he had seen in the streets. Therefore, after haveing detained him in prison ffor a very considerable time, his Majestie's Advocate and Sollicitor signed a warrand for his liberation.

"There was also one James Wilson incarcerated in the said Tolbooth, upon the declaration of one witness, who said he saw him on the streets with a gun; and there he remained for some time, in order to try if a concurring witness could be found, or that he acted any part in the tragedy and wickedness. But nothing farther appeared against him; and being seized with a severe sickness, he is, by a warrand signed by his Majestie's Advocate and Sollicitor, liberated upon giveing sufficient baill.

"As to King, enquiry was made, and the ffact comes out beyond all exception, that he was in the lodge at the Nether-Bow with Lindsay the waiter, and several other people, not at all concerned in the mob. But after the affair was over, he went up towards the guard, and having met with Sandie the Turk and his wife, who escaped out of prison, they returned to his house at the Abbey, and then 'tis very possible he may have thought fitt in his beer to boast of villany, in which he could not possibly have any share for that reason; he was desired to find baill and he should be set at liberty. But he is a stranger and a fellow of very indifferent character, and 'tis believed it won't be easy for him to find baill. Wherefore, it's thought he must be sett at liberty without it. Because he is a burden upon the Government while kept in confinement, not being able to maintain himself.

"What is above is all that relates to persons in custody. But there are warrands out against a great many other persons who had fled, particularly against one William White, a journeyman baxter, who, by the evidence, appears to have been at the beginning of the mob, and to have gone along with the drum, from the West-Port to the Nether-Bow, and is said to have been one of those who attacked the guard, and probably was as deep as any one there.

"Information was given that he was lurking at Falkirk, where he was born. Whereupon directions were sent to the Sheriff of the County, and a warrand from his Excellency Generall Wade, to the commanding officers at Stirling and Linlithgow, to assist, and all

possible endeavours were used to catch hold of him, and 'tis said he escaped very narrowly, having been concealed in some outhouse; and the misfortune was, that those who were employed in the search did not know him personally. Nor, indeed, was it easy to trust any of the acquaintances of so low, obscure a fellow with the secret of the warrand to be putt in execution.

"There was also strong evidence found against Robert Taylor, servant to William and Charles Thomsons, periwig-makers, that he acted as ane officer among the mob, and he was traced from the guard to the well at the head of Forrester's Wynd, where he stood and had the appellation of Captain from the mob, and from that walking down the Bow before Captain Porteus, with his Lochaber-axe; and, by the description given of one who hawl'd the rope by which Captain Porteus was pulled up, 'tis believed Taylor was the person; and 'tis farther probable, that the witness who delated Stirling had mistaken Taylor for him, their stature and age (so far as can be gathered from the description) being the same.

"A great deal of pains were taken, and no charge was saved, in order to have catched hold of this Taylor, and warrands were sent to the country where he was born; but it appears he had shipt himself off for Holland, where it is said he now is.

"There is strong evidence also against Thomas Burns, butcher, that he was ane active person from the beginning of the mob to the end of it. He lurkt for some time amongst those of his trade; and artfully enough a train was laid to catch him, under pretence of a message that had come from his father in Ireland, so that he came to a blind alehouse in the Flesh-market close, and, a party being ready, was, by Webster the soldier, who was upon this exploit, advertised to come down. However, Burns escaped out at a back window, and hid himself in some of the houses which are heaped together upon one another in that place, so that it was not possible to catch him. 'Tis now said he is gone to Ireland to his father who lives there.

"There is evidence also against one Robert Anderson, journeyman and servant to Colin Alison, wright; and against Thomas Linnen and James Maxwell, both servants also to the said Colin Alison, who all seem to have been deeply concerned in the matter. Anderson is one of those who putt the rope upon Captain Porteus's neck. Linnen seems also to have been very active; and Maxwell (which is pretty remarkable) is proven to have come to a shop upon the Friday before, and charged the journeymen and prentices there to attend in the Parliament close on Tuesday night, to assist to hang Captain Porteus. These three did early abscond, and, though warrands had

been issued out against them, and all endeavours used to apprehend them, could not be found.

"One Waldie, a servant to George Campbell, wright, has also absconded, and many others, and 'tis informed that numbers of them have shipt themselves off ffor the Plantations; and upon an information that a ship was going off ffrom Glasgow, in which severall of the rogues were to transport themselves beyond seas, proper warrands were obtained, and persons despatched to search the said ship, and seize any that can be found.

"The like warrands had been issued with regard to ships from Leith. But whether they had been scard, or whether the information had been groundless, they had no effect.

"This is a summary of the enquiry, ffrom which it appears there is no prooff on which one can rely, but against M'Lauchlan. There is a prooff also against Braidwood, but more exceptionable. His Majestie's Advocate, since he came to town, has join'd with the Sollicitor, and has done his utmost to gett at the bottom of this matter, but hitherto it stands as is above represented. They are resolved to have their eyes and their ears open, and to do what they can. But they laboured exceedingly against the stream; and it may truly be said, that nothing was wanting on their part. Nor have they declined any labour to answer the commands laid upon them to search the matter to the bottom."

The Porteous Mob.

In the preceding chapters, (II. to VII.) the circumstances of that extraordinary riot and conspiracy, called the Porteous mob, are given with as much accuracy as the author was able to collect them. The order, regularity, and determined resolution with which such a violent action was devised and executed, were only equalled by the secrecy which was observed concerning the principal actors.

Although the fact was performed by torch-light, and in presence of a great multitude, to some of whom, at least, the individual actors must have been known, yet no discovery was ever made concerning any of the perpetrators of the slaughter.

Two men only were brought to trial for an offence which the government were so anxious to detect and punish. William M'Lauchlan, footman to the Countess of Wemyss, who is mentioned in the report of the Solicitor-General, (page 120,) against whom strong evidence had been obtained, was brought to trial in March, 1737, charged as having been accessory to the riot, armed with a Lochaber-axe. But this man (who was at all times a silly creature) proved, that he was in a state of mortal intoxication, during the time he was present with

the rabble, incapable of giving them either advice or assistance, or, indeed, of knowing what he or they were doing. He was also able to prove, that he was forced into the riot, and upheld while there by two bakers, who put a Lochaber-axe into his hand. The jury, wisely judging this poor creature could be no proper subject of punishment, found the panel Not Guilty. The same verdict was given in the case of Thomas Linning, also mentioned in the Solicitor's memorial, who was tried in 1738. In short, neither then, nor for a long period afterwards, was anything discovered relating to the organization of the Porteous Plot.

The imagination of the people of Edinburgh was long irritated, and their curiosity kept awake, by the mystery attending this extraordinary conspiracy. It was generally reported of such natives of Edinburgh as, having left the city in youth, returned with a fortune amassed in foreign countries, that they had originally fled on account of their share in the Porteous Mob. But little credit can be attached to these surmises, as in most of the cases they are contradicted by dates, and in none supported by anything but vague rumours, grounded on the ordinary wish of the vulgar, to impute the success of prosperous men to some unpleasant source. The secret history of the Porteous Mob has been till this day unravelled: and it has always been quoted as a close, daring, and calculated act of violence, of a nature peculiarly characteristic of the Scottish people.

Nevertheless, the author, for a considerable time, nourished hopes to have found himself enabled to throw some light on this mysterious story. An old man, who died about twenty years ago, at the advanced age of ninety-three, was said to have made a communication to the clergyman who attended upon his death-bed, respecting the origin of the Porteous Mob. This person followed the trade of a carpenter, and had been employed as such on the estate of a family of opulence and condition. His character in his line of life and amongst his neighbours, was excellent, and never underwent the slightest suspicion. His confession was said to have been to the following purpose: That he was one of twelve young men belonging to the village of Pathhead, whose animosity against Porteous, on account of the execution of Wilson, was so extreme, that they resolved to execute vengeance on him with their own hands, rather than he should escape punishment. With this resolution they crossed the Forth at different ferries, and rendezvoused at the suburb called Portsburg, where their appearance in a body soon called numbers around them. The public mind was in such a state of irritation, that it only wanted a single spark to create an explosion: and this was afforded by the exertions of the small and determined band of associates. The appearance of premeditation and

order which distinguished the riot, according to his account, had its origin, not in any previous plan or conspiracy, but in the character of those who were engaged in it. The story also serves to shew why nothing of the origin of the riot has ever been discovered, since, though in itself a great conflagration, its source, according to this account, was from an obscure and apparently inadequate cause.

I have been disappointed, however, in obtaining the evidence on which this story rests. The present proprietor of the estate on which the old man died, (a particular friend of the author,) undertook to question the son of the deceased on the subject. This person follows his father's trade, and holds the employment of carpenter to the same family. He admits that his father's going abroad at the time of the Porteous Mob was popularly attributed to his having been concerned in that affair; but adds, that, so far as is known to him, the old man had never made any confession to that effect; and, on the contrary, had uniformly denied being present. My kind friend, therefore, had recourse to a person from whom he had formerly heard the story; but who, either from respect to an old friend's memory, or from failure of his own, happened to have forgotten that ever such a communication was made. So my obliging correspondent (who is a fox-hunter) wrote to me that he was completely *planted;* and all that can be said with respect to the tradition is, that it certainly once existed, and was generally believed.

CHAPTER VIII.

Arthur's Seat shall be my bed,
The sheets shall ne'er be pressed by me;
St. Anton's well shall be my drink,
Sin' my true love's forsaken me.
OLD SONG.

IF I were to choose a spot from which the rising or setting sun could be seen to the greatest possible advantage, it would be that wild path winding around the foot of the high belt of semi-circular rocks, called Salisbury Crags, and marking the verge of the steep descent which slopes down into the glen on the south-eastern side of the city of Edinburgh. The prospect, in its general outline, commands a close-built, high-piled city, stretching itself out beneath in a form, which, to a romantic imagination, may be supposed to represent that of a dragon; now, a noble arm of the sea, with its rocks, isles, distant shores, and boundary of mountains; and now, a fair and fertile champaign country, varied with hill, dale, and rock, and skirted by the picturesque ridge of the Pentland mountains. But as the path gently circles around the base of the cliffs, the prospect, composed as it is of these enchanting and sublime objects, changes at every step, and presents them blended with, or divided from, each other, in every possible variety which can gratify the eye and the imagination. When a piece of scenery so beautiful, yet so varied,—so exciting by its intricacy, and yet so

sublime,—is lighted up by the tints of morning or of evening, and displays all that variety of shadowy depth, exchanged with partial brilliancy, which gives character even to the tamest of landscapes, the effect approaches near to enchantment. This path used to be my favourite evening and morning resort, when engaged with a favourite author, or new subject of study. It is, I am informed, now become totally impassable; a circumstance which, if true, reflects little credit on the taste of the Good Town or its leaders.*

It was from this fascinating path—the scene to me of so much delicious musing, when life was young and promised to be happy, that I have been unable to pass it over without an episodical description—it was, I say, from this romantic path that Butler saw the morning arise the day after the murder of Porteous. It was possible for him with ease to have found a much shorter road to the house to which he was directing his course, and, in fact, that which he chose was extremely circuitous. But to compose his own spirits, as well as to while away the time, until a proper hour for visiting the family without surprise or disturbance, he was induced to extend his circuit by the foot of the rocks, and to linger upon his way until the morning should be considerably advanced. While, now standing with his arms across, and waiting the slow progress of the sun above the horizon, now sitting upon one of the numerous fragments which storms had detached from the rocks above him, he is meditating, alternately upon the horrible catastrophe which he had witnessed, and upon the melancholy, and to him most

* A beautiful and solid pathway has, within a few years, been formed around these romantic rocks; and the author has the pleasure to think, that the passage in the text gave rise to the undertaking.

interesting news, which he had learned at Saddletree's, we will give the reader to understand who Butler was, and how his fate was connected with that of Effie Deans, the unfortunate handmaiden of the careful Mrs. Saddletree.

Reuben Butler was of English extraction, though born in Scotland. His grandfather was a trooper in Monk's army, and one of the party of dismounted dragoons which formed the forlorn hope at the storming of Dundee in 1651. Stephen Butler (called, from his talents in reading and expounding, Scripture Stephen, and Bible Butler) was a stanch Independent, and received in its fullest comprehension the promise that the saints should inherit the earth. As hard knocks were what had chiefly fallen to his share, hitherto, in the division of this common property, he lost not the opportunity which the storm and plunder of a commercial place afforded him, to appropriate as large a share of the better things of this world as he could possibly compass. It would seem that he had succeeded indifferently well, for his exterior circumstances appeared, in consequence of this event, to have been much mended.

The troop to which he belonged was quartered at the village of Dalkeith, as forming the body-guard of Monk, who, in the capacity of general for the Commonwealth, resided in the neighbouring castle. When, on the eve of the Restoration, the general commenced his march from Scotland, a measure pregnant with such important consequences, he new-modelled his troops, and more especially those immediately about his person, in order that they might consist entirely of individuals devoted to himself. On this occasion Scripture Stephen was weighed in the balance and found wanting. It was supposed he felt no

call to any expedition which might endanger the reign of the military sainthood, and that he did not consider himself as free in conscience to join with any party which might be likely ultimately to acknowledge the interest of Charles Stewart, the son of "the last man," as Charles I. was familiarly and irreverently termed by them in their common discourse, as well as in their more elaborate predications and harangues. As the time did not admit of cashiering such dissidents, Stephen Butler was only advised, in a friendly way, to give up his horse and accoutrements to one of Middleton's old troopers, who possessed an accommodating conscience of a military stamp, and which squared itself chiefly upon those of the Colonel and paymaster. As this hint came recommended by a certain sum of arrears presently payable, Stephen had carnal wisdom enough to embrace the proposal, and with great indifference saw his old corps depart for Coldstream on their route for the south, to establish the tottering government of England on a new basis.

The *zone* of the ex-trooper, to use Horace's phrase, was weighty enough to purchase a cottage and two or three fields, (still known by the name of Beersheba,) within about a Scottish mile of Dalkeith; and there did Stephen establish himself with a youthful helpmate, chosen out of the said village, whose disposition to a comfortable settlement on this side of the grave reconciled her to the gruff manners, serious temper, and weatherbeaten features of the martial enthusiast. Stephen did not long survive the falling on "evil days and evil tongues," of which Milton, in the same predicament, so mournfully complains. At his death his consort remained an early widow, with a male child of three years old, which, in the sobriety wherewith it demeaned itself, in the old-fashioned and

even grim cast of its features, and in its sententious mode of expressing itself, would sufficiently have vindicated the honour of the widow of Beersheba, had any one thought proper to challenge the babe's descent from Bible Butler.

Butler's principles had not descended to his family, or extended themselves among his neighbours. The air of Scotland was alien to the growth of independency, however favourable to fanaticism under other colours. But, nevertheless, they were not forgotten; and a certain neighbouring Laird, who piqued himself upon the loyalty of his principles "in the worst of times," (though I never heard they exposed him to more peril than that of a broken head, or a night's lodging in the main guard, when wine and cavalierism predominated in his upper story,) had found it a convenient thing to rake up all matter of accusation against the deceased Stephen. In this enumeration his religious principles made no small figure, as, indeed, they must have seemed of the most exaggerated enormity to one whose own were so small and so faintly traced, as to be well-nigh imperceptible. In these circumstances, poor widow Butler was supplied with her full proportion of fines for nonconformity, and all the other oppressions of the time, until Beersheba was fairly wrenched out of her hands, and became the property of the Laird who had so wantonly, as it had hitherto appeared, persecuted this poor, forlorn woman. When his purpose was fairly achieved, he shewed some remorse, or moderation, or whatever the reader may please to term it, in permitting her to occupy her husband's cottage, and cultivate, on no very heavy terms, a croft of land adjacent. Her son, Benjamin, in the meanwhile, grew up to man's estate, and, moved by that impulse which makes men

seek marriage, even when its end can only be the perpetuation of misery, he wedded and brought a wife, and eventually, a son, Reuben, to share the poverty of Beersheba.

The Laird of Dumbiedikes * had hitherto been moderate in his exactions, perhaps because he was ashamed to tax too highly the miserable means of support which remained to the widow Butler. But when a stout active young fellow appeared as the labourer of the croft in question, Dumbiedikes began to think so broad a pair of shoulders might bear an additional burden. He regulated, indeed, his management of his dependents (who fortunately were but few in number) much upon the principle of the carters whom he observed loading their carts at a neighbouring coal-hill, and who never failed to clap an additional brace of hundred weights on their burden, so soon as by any means they had compassed a new horse of somewhat superior strength to that which had broken down the day before. However reasonable this practice appeared to the Laird of Dumbiedikes, he ought to have observed, that it may be overdone, and that it infers, as a matter of course, the destruction and loss of both horse, and cart, and loading. Even so it befell when the additional "prestations" came to be demanded of Benjamin Butler. A man of few words, and few ideas, but attached to Beersheba with a feeling like that which a vegetable entertains to the spot in which it chances to be planted, he neither remonstrated with the Laird, nor endeavoured

* Dumbiedikes, selected as descriptive of the taciturn character of the imaginary owner, is really the name of a house bordering on the King's Park, so called because the late Mr. Braidwood, an instructor of the deaf and dumb, resided there with his pupils. The situation of the real house is different from that assigned to the ideal mansion.

to escape from him, but, toiling night and day to accomplish the terms of his taskmaster, fell into a burning fever and died. His wife did not long survive him; and, as if it had been the fate of this family to be left orphans, our Reuben Butler was, about the year 1704–5, left in the same circumstances in which his father had been placed, and under the same guardianship, being that of his grandmother, the widow of Monk's old trooper.

The same prospect of misery hung over the head of another tenant of this hard-hearted lord of the soil. This was a tough true-blue Presbyterian, called Deans, who, though most obnoxious to the Laird on account of principles in church and state, contrived to maintain his ground upon the estate by regular payment of mail-duties, kain, arriage, carriage, dry multure, lock, gowpen, and knaveship, and all the various exactions now commuted for money, and summed up in the emphatic word RENT. But the year 1700 and 1701, long remembered in Scotland for dearth and general distress, subdued the stout heart of the agricultural Whig. Citations by the ground officer, decreets of the Baron Court, sequestrations, poindings of outside and inside plenishing, flew about his ears as fast as the Tory bullets whistled around those of the Covenanters at Pentland, Bothwell Brigg, or Airsmoss. Struggle as he might, and he struggled gallantly, "Douce David Deans" was routed horse and foot, and lay at the mercy of his grasping landlord just at the time that Benjamin Butler died. The fate of each family was anticipated; but they who prophesied their expulsion to beggary and ruin, were disappointed by an accidental circumstance.

On the very term-day when their ejection should have taken place, when all their neighbours were prepared to

pity, and not one to assist them, the minister of the parish, as well as a doctor from Edinburgh, received a hasty summons to attend the Laird of Dumbiedikes. Both were surprised, for his contempt for both faculties had been pretty commonly his theme over an extra bottle, that is to say, at least once every day. The leech for the soul, and he for the body, alighted in the court of the little old manor-house at almost the same time; and when they had gazed a moment at each other with some surprise, they in the same breath expressed their conviction that Dumbiedikes must needs be very ill indeed, since he summoned them both to his presence at once. Ere the servant could usher them to his apartment the party was augmented by a man of law, Nichil Novit, writing himself procurator before the Sheriff-court, for in those days there were no solicitors. This latter personage was first summoned to the apartment of the Laird, where, after some short space, the soul-curer and the body-curer were invited to join him.

Dumbiedikes had been by this time transported into the best bed-room, used only upon occasions of death and marriage, and called, from the former of these occupations, the Dead-Room. There were in this apartment, besides the sick person himself and Mr. Novit, the son and heir of the patient, a tall, gawky, silly-looking boy of fourteen or fifteen, and a housekeeper, a good buxom figure of a woman, betwixt forty and fifty, who had kept the keys and managed matters at Dumbiedikes since the lady's death. It was to these attendants that Dumbiedikes addressed himself pretty nearly in the following words; temporal and spiritual matters, the care of his health and his affairs, being strangely jumbled in a head which was never one of the clearest:—

"These are sair times wi' me, gentlemen and neighbours! amaist as ill as at the aughty-nine, when I was rabbled by the collegeaners.* They mistook me muckle —they ca'd me a papist, but there was never a papist bit about me, minister.—Jock, ye'll take warning—it's a debt we maun a' pay, and there stands Nichil Novit that will tell ye I was never gude at paying debts in my life.—Mr. Novit, ye'll no forget to draw the annual rent that's due on the yerl's band—if I pay debt to other folk, I think they suld pay it to me—that equals aquals.—Jock, when ye hae naething else to do, ye may be aye sticking in a tree; it will be growing, Jock, when ye're sleeping.† My father tauld me sae forty years sin', but I ne'er fand time to mind him—Jock, ne'er drink brandy in the morning, it files the stamach sair; gin ye take a morning's draught, let it be aqua mirabilis; Jenny there makes it weel.—Doctor, my breath is growing as scant as a broken-winded piper's, when he has played for four-and-twenty hours at a penny wedding—Jenny, pit the cod aneath my head—but it's a' needless!—Mass John, could ye think o' rattling ower some bit short prayer, it wad do me gude maybe, and keep some queer thoughts out o' my head. Say something, man."

"I cannot use a prayer like a rat-rhyme," answered the honest clergyman; "and, if you would have your soul

* Immediately previous to the Revolution, the students at the Edinburgh College were violent anti-catholics. They were strongly suspected of burning the house of Priestfield, belonging to the Lord Provost; and certainly were guilty of creating considerable riots in 1688-9.

† The author has been flattered by the assurance, that this *naïve* mode of recommending arboriculture (which was actually delivered in these very words by a Highland laird, while on his death-bed, to his son) had so much weight with a Scottish earl, as to lead to his planting a large tract of country.

redeemed like a prey from the fowler, Laird, you must needs shew me your state of mind."

"And shouldna ye ken that without my telling you?" answered the patient. "What have I been paying stipend and teind, parsonage, and vicarage for, ever sin' the aughty-nine, and I canna get a spell of a prayer for't, the only time I ever asked for ane in my life?—Gang awa wi' your whiggery, if that's a' ye can do; auld Curate Kilstoup wad hae read half the Prayer-book to me by this time—Awa wi' ye!—Doctor, let's see if ye can do ony thing better for me."

The Doctor, who had obtained some information in the meanwhile from the housekeeper on the state of his complaints, assured him the medical art could not prolong his life many hours.

"Then damn Mass John and you baith!" cried the furious and intractable patient. "Did ye come here for naething but to tell me that ye canna help me at the pinch? Out wi' them, Jenny—out o' the house! and, Jock, my curse, and the curse of Cromwell, go wi' ye, if ye gie them either fee or bounteth, or sae muckle as a black pair o' cheverons!" *

The clergyman and doctor made a speedy retreat out of the apartment, while Dumbiedikes fell into one of those transports of violent and profane language, which had procured him the surname of Damn-me-dikes. "Bring me the brandy-bottle, Jenny, ye b——," he cried, with a voice in which passion contended with pain. "I can die as I have lived, without fashing ony o' them. But there's ae thing," he said, sinking his voice—"there's ae fearful thing hings about my heart, and an anker of brandy winna wash it away.—The Deanses at Woodend!—I seques-

* *Cheverons*—gloves.

trated them in the dear years, and now they are to flit, they'll starve—and that Beersheba, and that auld trooper's wife and her oe, they'll starve—they'll starve!—Look out, Jock; what kind o' night is't?"

"On-ding o' snaw, father," answered Jock, after having opened the window, and looked out with great composure.

"They'll perish in the drifts!" said the expiring sinner —"they'll perish wi' cauld!—but I'll be het eneugh, gin a' tales be true."

This last observation was made under breath, and in a tone which made the very attorney shudder. He tried his hand at ghostly advice, probably for the first time in his life, and recommended, as an opiate of the agonized conscience of the Laird, reparation of the injuries he had done to these distressed families, which, he observed by the way, the civil law called *restitutio in integrum.* But Mammon was struggling with Remorse for retaining his place in a bosom he had so long possessed; and he partly succeeded, as an old tyrant proves often too strong for his insurgent rebels.

"I canna do't," he answered with a voice of despair. "It would kill me to do't—how can ye bid me pay back siller, when ye ken how I want it? or dispone Beersheba, when it lies sae weel into my ain plaid-nuik? Nature made Dumbiedikes and Beersheba to be ae man's land—She did, by——Nichil, it wad kill me to part them."

"But ye maun die whether or no, Laird," said Mr. Novit; "and maybe ye wad die easier—it's but trying. I'll scroll the disposition in nae time."

"Dinna speak o't, sir," replied Dumbiedikes, "or I'll fling the stoup at your head.—But, Jock, lad, ye see how the warld warstles wi' me on my death-bed—be kind to the puir creatures the Deanses and the Butlers—be kind

to them, Jock. Dinna let the warld get a grip o' ye, Jock—but keep the gear thegither! and whate'er ye do, dispone Beersheba at no rate. Let the creatures stay at a moderate mailing, and hae bite and soup; it will maybe be the better wi' your father whare he's gaun, lad."

After these contradictory instructions, the Laird felt his mind so much at ease, that he drank three bumpers of brandy, continuously, and "soughed awa," as Jenny expressed it, in an attempt to sing "Deil stick the minister."

His death made a revolution in favour of the distressed families. John Dumbie, now of Dumbiedikes in his own right, seemed to be close and selfish enough; but wanted the grasping spirit and active mind of his father; and his guardian happened to agree with him in opinion, that his father's dying recommendation should be attended to. The tenants, therefore, were not actually turned out of doors among the snow-wreaths, and were allowed wherewith to procure butter-milk and peas-bannocks, which they eat under the full force of the original malediction. The cottage of Deans, called Woodend, was not very distant from that at Beersheba. Formerly there had been but little intercourse between the families. Deans was a sturdy Scotsman, with all sort of prejudices against the southern, and the spawn of the southern. Moreover, Deans was, as we have said, a stanch presbyterian, of the most rigid and unbending adherence to what he conceived to be the only possible straight line, as he was wont to express himself, between right-hand heats and extremes, and left-hand defections; and, therefore, he held in high dread and horror, all independents, and whomsoever he supposed allied to them.

But, notwithstanding these national prejudices and religious professions, Deans and the widow Butler were

placed in such a situation, as naturally and at length created some intimacy between the families. They had shared a common danger and a mutual deliverance. They needed each other's assistance, like a company, who, crossing a mountain stream, are compelled to cling close together, lest the current should be too powerful for any who are not thus supported.

On nearer acquaintance, too, Deans abated some of his prejudices. He found old Mrs. Butler, though not thoroughly grounded in the extent and bearing of the real testimony against the defections of the times, had no opinions in favour of the independent party; neither was she an Englishwoman. Therefore, it was to be hoped, that, though she was the widow of an enthusiastic corporal of Cromwell's dragoons, her grandson might be neither schismatic nor anti-national, two qualities concerning which Goodman Deans had as wholesome a terror as against papists and malignants. Above all, (for Douce Davie Deans had his weak side,) he perceived that widow Butler looked up to him with reverence, listened to his advice, and compounded for an occasional fling at the doctrines of her deceased husband, to which, as we have seen, she was by no means warmly attached, in consideration of the valuable counsels which the presbyterian afforded her for the management of her little farm. These usually concluded with, "They may do otherwise in England, neighbour Butler, for aught I ken;" or, "it may be different in foreign parts;" or, "they wha think differently on the great foundation of our covenanted reformation, overturning and mishguggling the government and discipline of the kirk, and breaking down the carved work of our Zion, might be for sawing the craft wi' aits; but I say peace, peace." And as his advice was

shrewd and sensible, though conceitedly given, it was received with gratitude, and followed with respect.

The intercourse which took place betwixt the families at Beersheba and Woodend, became strict and intimate, at a very early period, betwixt Reuben Butler, with whom the reader is already in some degree acquainted, and Jeanie Deans, the only child of Douce Davie Deans by his first wife, "that singular Christian woman," as he was wont to express himself, "whose name was savoury to all that knew her for a desirable professor, Christian Menzies in Hochmagirdle." The manner of which intimacy, and the consequence thereof, we now proceed to relate.

CHAPTER IX.

Reuben and Rachel, though as fond as doves,
Were yet discreet and cautious in their loves,
Nor would attend to Cupid's wild commands,
Till cool reflection bade them join their hands.
When both were poor, they thought it argued ill
Of hasty love to make them poorer still.
CRABBE'S *Parish Register*.

WHILE widow Butler and widower Deans struggled with poverty, and the hard and sterile soil of those "parts and portions" of the lands of Dumbiedikes which it was their lot to occupy, it became gradually apparent that Deans was to gain the strife, and his ally in the conflict was to lose it. The former was a man, and not much past the prime of life—Mrs. Butler a woman, and declined into the vale of years. This, indeed, ought in time to have been balanced by the circumstance, that Reuben was growing up to assist his grandmother's labours, and that Jeanie Deans, as a girl, could be only supposed to add to her father's burdens. But Douce Davie Deans knew better things, and so schooled and trained the young minion, as he called her, that from the time she could walk, upwards, she was daily employed in some task or other suitable to her age and capacity; a circumstance which, added to her father's daily instructions and lectures, tended to give her mind, even when a child, a grave, serious, firm, and reflecting cast. An

uncommonly strong and healthy temperament, free from all nervous affection and every other irregularity, which attacking the body in its more noble functions, so often influences the mind, tended greatly to establish this fortitude, simplicity, and decision of character.

On the other hand, Reuben was weak in constitution, and, though not timid in temper, might be safely pronounced anxious, doubtful, and apprehensive. He partook of the temperament of his mother, who had died of a consumption in early age. He was a pale, thin, feeble, sickly boy, and somewhat lame, from an accident in early youth. He was, besides, the child of a doating grandmother, whose too solicitous attention to him soon taught him a sort of diffidence in himself, with a disposition to overrate his own importance, which is one of the very worst consequences that children deduce from over-indulgence.

Still, however, the two children clung to each other's society, not more from habit than from taste. They herded together the handful of sheep, with the two or three cows, which their parents turned out rather to seek food than actually to feed upon the unenclosed common of Dumbiedikes. It was there that the two urchins might be seen seated beneath a blooming bush of whin, their little faces laid close together under the shadow of the same plaid drawn over both their heads, while the landscape around was embrowned by an overshadowing cloud, big with the shower which had driven the children to shelter. On other occasions they went together to school, the boy receiving that encouragement and example from his companion, in crossing the little brooks which intersected their path, and encountering cattle, dogs, and other perils, upon their journey, which the male sex in such cases

usually consider it as their prerogative to extend to the weaker. But when, seated on the benches of the school-house, they began to con their lessons together, Reuben, who was as much superior to Jeanie Deans in acuteness of intellect, as inferior to her in firmness of constitution, and in that insensibility to fatigue and danger which depends on the conformation of the nerves, was able fully to requite the kindness and countenance with which, in other circumstances, she used to regard him. He was decidedly the best scholar at the little parish school; and so gentle was his temper and disposition, that he was rather admired than envied by the little mob who occupied the noisy mansion, although he was the declared favourite of the master. Several girls, in particular, (for in Scotland they are taught with the boys,) longed to be kind to, and comfort the sickly lad, who was so much cleverer than his companions. The character of Reuben Butler was so calculated as to offer scope both for their sympathy and their admiration, the feelings, perhaps, through which the female sex (the more deserving part of them at least) is more easily attached.

But Reuben, naturally reserved and distant, improved none of these advantages; and only became more attached to Jeanie Deans, as the enthusiastic approbation of his master assured him of fair prospects in future life, and awakened his ambition. In the meantime, every advance that Reuben made in learning (and, considering his opportunities, they were uncommonly great,) rendered him less capable of attending to the domestic duties of his grandmother's farm. While studying the *pons asinorum* in Euclid, he suffered every *cuddie* upon the common to trespass upon a large field of pease belonging to the Laird, and nothing but the active exertions of Jeanie

Deans, with her little dog Dustiefoot, could have saved great loss and consequent punishment. Similar miscarriages marked his progress in his classical studies. He read Virgil's Georgics till he did not know bear from barley; and had nearly destroyed the crofts of Beersheba, while attempting to cultivate them according to the practice of Columella and Cato the Censor.

These blunders occasioned grief to his grand-dame, and disconcerted the good opinion which her neighbour, Davie Deans, had for some time entertained of Reuben.

"I see naething ye can make of that silly callant, neighbour Butler," said he to the old lady, "unless ye train him to the wark o' the ministry. And ne'er was there mair need of poorfu' preachers than e'en now in these cauld Gallio days, when men's hearts are hardened like the nether millstone, till they come to regard none of these things. It's evident this puir callant of yours will never be able to do an usefu' day's wark, unless it be as an ambassador from our Master; and I will make it my business to procure a license when he is fit for the same, trusting he will be a shaft cleanly polished, and meet to be used in the body of the kirk; and that he shall not turn again, like the sow, to wallow in the mire of heretical extremes and defections, but shall have the wings of a dove, though he hath lain among the pots."

The poor widow gulped down the affront to her husband's principles, implied in this caution, and hastened to take Butler from the High School, and encourage him in the pursuit of mathematics and divinity, the only physics and ethics that chanced to be in fashion at the time.

Jeanie Deans was now compelled to part from the companion of her labour, her study, and her pastime, and it

was with more than childish feeling that both children regarded the separation. But they were young, and hope was high, and they separated like those who hope to meet again at a more auspicious hour.

While Reuben Butler was acquiring at the University of St. Andrews the knowledge necessary for a clergyman, and macerating his body with the privations which were necessary in seeking food for his mind, his grand-dame became daily less able to struggle with her little farm, and was at length obliged to throw it up to the new Laird of Dumbiedikes. That great personage was no absolute Jew, and did not cheat her in making the bargain more than was tolerable. He even gave her permission to tenant the house in which she had lived with her husband, as long as it should be "tenantable;" only he protested against paying for a farthing of repairs, any benevolence which he possessed being of the passive, but by no means of the active mood.

In the meanwhile, from superior shrewdness, skill, and other circumstances, some of them purely accidental, Davie Deans gained a footing in the world, the possession of some wealth, the reputation of more, and a growing disposition to preserve and increase his store; for which, when he thought upon it seriously, he was inclined to blame himself. From his knowledge in agriculture, as it was then practised, he became a sort of favourite with the Laird, who had no great pleasure either in active sports or in society, and was wont to end his daily saunter by calling at the cottage of Woodend.

Being himself a man of slow ideas and confused utterance, Dumbiedikes used to sit or stand for half an hour with an old laced hat of his father's upon his head, and an empty tobacco-pipe in his mouth, with his eyes fol-

lowing Jeanie Deans, or "the lassie," as he called her, through the course of her daily domestic labour; while her father, after exhausting the subject of bestial, of ploughs, and of harrows, often took an opportunity of going full sail into controversial subjects, to which discussions the dignitary listened with much seeming patience, but without making any reply, or, indeed, as most people thought, without understanding a single word of what the orator was saying. Deans, indeed, denied this stoutly, as an insult at once to his own talents, for expounding hidden truths, of which he was a little vain, and to the Laird's capacity of understanding them. He said, "Dumbiedikes was nane of these flashy gentles, wi' lace on their skirts and swords at their tails, that were rather for riding on horseback to hell than ganging barefooted to heaven. He wasna like his father—nae profane company-keeper —nae swearer—nae drinker—nae frequenter of playhouse, or music-house, or dancing-house—nae Sabbath-breaker—nae imposer of aiths, or bonds, or denier of liberty to the flock.—He clave to the warld, and the warld's gear, a wee ower muckle, but then there was some breathing of a gale upon his spirit," &c. &c. All this honest Davie said and believed.

It is not to be supposed, that, by a father and a man of sense and observation, the constant direction of the Laird's eyes towards Jeanie was altogether unnoticed. This circumstance, however, made a much greater impression upon another member of his family, a second helpmate, to wit, whom he had chosen to take to his bosom ten years after the death of his first. Some people were of opinion, that Douce Davie had been rather surprised into this step, for in general he was no friend to marriages or giving in marriage, and seemed rather to

regard that state of society as a necessary evil,—a thing lawful, and to be tolerated in the imperfect state of our nature, but which clipped the wings with which we ought to soar upwards, and tethered the soul to its mansion of clay, and the creature-comforts of wife and bairns. His own practice, however, had in this material point varied from his principles, since, as we have seen, he twice knitted for himself this dangerous and ensnaring entanglement.

Rebecca, his spouse, had by no means the same horror of matrimony, and as she made marriages in imagination for every neighbour round, she failed not to indicate a match betwixt Dumbiedikes and her step-daughter Jeanie. The goodman used regularly to frown and pshaw whenever this topic was touched upon, but usually ended by taking his bonnet and walking out of the house to conceal a certain gleam of satisfaction, which, at such a suggestion, involuntarily diffused itself over his austere features.

The more youthful part of my readers may naturally ask, whether Jeanie Deans was deserving of this mute attention of the Laird of Dumbiedikes; and the historian, with due regard to veracity, is compelled to answer, that her personal attractions were of no uncommon description. She was short, and rather too stoutly made for her size, had grey eyes, light-coloured hair, a round good-humoured face, much tanned with the sun, and her only peculiar charm was an air of inexpressible serenity, which a good conscience, kind feelings, contented temper, and the regular discharge of all her duties, spread over her features. There was nothing, it may be supposed, very appalling in the form or manners of this rustic heroine; yet, whether from sheepish bashfulness, or from want of

decision and imperfect knowledge of his own mind on the subject, the Laird of Dumbiedikes, with his old laced hat and empty tobacco-pipe, came and enjoyed the beatific vision of Jeanie Deans day after day, week after week, year after year, without proposing to accomplish any of the prophecies of the step-mother.

This good lady began to grow doubly impatient on the subject, when, after having been some years married, she herself presented Douce Davie with another daughter, who was named Euphemia, by corruption, Effie. It was then that Rebecca began to turn impatient with the slow pace at which the Laird's wooing proceeded, judiciously arguing, that, as Lady Dumbiedikes would have but little occasion for tocher, the principal part of her gudeman's substance would naturally descend to the child by the second marriage. Other step-dames have tried less laudable means for clearing the way to the succession of their own children; but Rebecca, to do her justice, only sought little Effie's advantage through the promotion, or which must have generally been accounted such, of her elder sister. She therefore tried every female art within the compass of her simple skill, to bring the Laird to a point; but had the mortification to perceive that her efforts, like those of an unskilful angler, only scared the trout she meant to catch. Upon one occasion, in particular, when she joked with the Laird on the propriety of giving a mistress to the house of Dumbiedikes, he was so effectually startled, that neither laced hat, tobacco-pipe, nor the intelligent proprietor of these moveables, visited Woodend for a fortnight. Rebecca was therefore compelled to leave the Laird to proceed at his own snail's pace, convinced, by experience, of the grave-digger's aphorism, that your dull ass will not mend his pace for beating.

Reuben, in the meantime, pursued his studies at the university, supplying his wants by teaching the younger lads the knowledge he himself acquired, and thus at once gaining the means of maintaining himself at the seat of learning, and fixing in his mind the elements of what he had already obtained. In this manner, as is usual among the poorer students of divinity at Scottish universities, he contrived not only to maintain himself according to his simple wants, but even to send considerable assistance to his sole remaining parent, a sacred duty, of which the Scotch are seldom negligent. His progress in knowledge of a general kind, as well as in the studies proper to his profession, was very considerable, but was little remarked, owing to the retired modesty of his disposition, which in no respect qualified him to set off his learning to the best advantage. And thus, had Butler been a man given to make complaints, he had his tale to tell, like others, of unjust preferences, bad luck, and hard usage. On these subjects, however, he was habitually silent, perhaps from modesty, perhaps from a touch of pride, or perhaps from a conjunction of both.

He obtained his license as a preacher of the gospel, with some compliments from the presbytery by whom it was bestowed; but this did not lead to any preferment, and he found it necessary to make the cottage at Beersheba his residence for some months, with no other income than was afforded by the precarious occupation of teaching in one or other of the neighbouring families. After having greeted his aged grandmother, his first visit was to Woodend, where he was received by Jeanie with warm cordiality, arising from recollections which had never been dismissed from her mind, by Rebecca with good-humoured hospitality, and by old Deans in a mode peculiar to himself.

Highly as Douce Davie honoured the clergy, it was not upon each individual of the cloth that he bestowed his approbation; and, a little jealous, perhaps, at seeing his youthful acquaintance erected into the dignity of a teacher and preacher, he instantly attacked him upon various points of controversy, in order to discover whether he might not have fallen into some of the snares, defections, and desertions of the time. Butler was not only a man of stanch presbyterian principles, but was also willing to avoid giving pain to his old friend by disputing upon points of little importance; and therefore he might have hoped to have come like fine gold out of the furnace of Davie's interrogatories. But the result on the mind of that strict investigator was not altogether so favourable as might have been hoped and anticipated. Old Judith Butler, who had hobbled that evening as far as Woodend, in order to enjoy the congratulations of her neighbours upon Reuben's return, and upon his high attainments, of which she was herself not a little proud, was somewhat mortified to find that her old friend Deans did not enter into the subject with the warmth she expected. At first, indeed, he seemed rather silent than dissatisfied; and it was not till Judith had essayed the subject more than once that it led to the following dialogue :—

"Aweel, neibor Deans, I thought ye wad hae been glad to see Reuben amang us again, poor fellow."

"I *am* glad, Mrs. Butler," was the neighbour's concise answer.

"Since he has lost his grandfather and his father, (praised be Him that giveth and taketh!) I ken nae friend he has in the world that's been sae like a father to him as the sell o' ye, neibor Deans."

"God is the only father of the fatherless," said Deans, touching his bonnet and looking upwards. "Give honour where it is due, gudewife, and not to an unworthy instrument."

"Aweel, that's your way o' turning it, and nae doubt ye ken best; but I hae kend ye, Davie, send a forpit o' meal to Beersheba when there wasna a bow left in the meal-ark at Woodend; ay, and I hae kend ye——"

"Gudewife," said Davie, interrupting her, "these are but idle tales to tell me; fit for naething but to puff up our inward man wi' our ain vain acts. I stude beside blessed Alexander Peden, when I heard him call the death and testimony of our happy martyrs but draps of blude and scarts of ink in respect of fitting discharge of our duty; and what suld I think of ony thing the like of me can do?"

"Weel, neibor Deans, ye ken best; but I maun say that, I am sure you are glad to see my bairn again—the halt's gane now, unless he has to walk ower mony miles at a stretch; and he has a wee bit colour in his cheek, that glads my auld een to see it; and he has as decent a black coat as the minister; and——"

"I am very heartily glad he is weel and thriving," said Mr. Deans, with a gravity that seemed intended to cut short the subject; but a woman who is bent upon a point is not easily pushed aside from it.

"And," continued Mrs. Butler, "he can wag his head in a pulpit now, neibor Deans, think but of that—my ain oe —and a'body maun sit still and listen to him as if he were the Paip of Rome."

"The what?—the who?—woman!" said Deans, with a sternness far beyond his usual gravity, as soon as these offensive words had struck upon the tympanum of his ear.

"Eh, guide us!" said the poor woman; "I had forgot what an ill will ye had aye at the Paip, and sae had my puir gudeman, Stephen Butler. Mony an afternoon he wad sit and take up his testimony again the Paip, and again baptizing of bairns, and the like."

"Woman!" reiterated Deans, "either speak about what ye ken something o', or be silent; I say that independency is a foul heresy, and anabaptism a damnable and deceiving error, whilk suld be rooted out of the land wi' the fire o' the spiritual, and the sword o' the civil magistrate."

"Weel, weel, neibor, I'll no say that ye mayna be right," answered the submissive Judith. "I am sure ye are right about the sawing and the mawing, the shearing and the leading, and what for suld ye no be right about kirkwark too?—But concerning my oe, Reuben Butler——"

"Reuben Butler, gudewife," said David with solemnity, "is a lad I wish heartily weel to, even as if he were mine ain son—but I doubt there will be outs and ins in the track of his walk. I muckle fear his gifts will get the heels of his grace. He has ower muckle human wit and learning, and thinks as muckle about the form of the bicker as he does about the healsomeness of the food—he maun broider the marriage-garment with lace and passments, or it's no gude eneugh for him. And it's like he's something proud o' his human gifts and learning, whilk enables him to dress up his doctrine in that fine airy dress. But," added he, at seeing the old woman's uneasiness at his discourse, "affliction may gie him a jagg, and let the wind out o' him, as out o' a cow that's eaten wet clover, and the lad may do weel, and be a burning and a shining light; and I trust it will be yours to see, and his to feel it, and that soon."

Widow Butler was obliged to retire, unable to make any thing more of her neighbour, whose discourse, though she did not comprehend it, filled her with undefined apprehensions on her grandson's account, and greatly depressed the joy with which she had welcomed him on his return. And it must not be concealed, in justice to Mr. Deans's discernment, that Butler, in their conference, had made a greater display of his learning than the occasion called for, or than was likely to be acceptable to the old man, who, accustomed to consider himself as a person pre-eminently entitled to dictate upon theological subjects of controversy, felt rather humbled and mortified when learned authorities were placed in array against him. In fact, Butler had not escaped the tinge of pedantry which naturally flowed from his education, and was apt, on many occasions, to make parade of his knowledge, when there was no need of such vanity.

Jeanie Deans, however, found no fault with this display of learning, but, on the contrary, admired it; perhaps on the same score that her sex are said to admire men of courage, on account of their own deficiency in that qualification. The circumstances of their families threw the young people constantly together; their old intimacy was renewed, though upon a footing better adapted to their age; and it became at length understood betwixt them, that their union should be deferred no longer than until Butler should obtain some steady means of support, however humble. This, however, was not a matter speedily to be accomplished. Plan after plan was formed, and plan after plan failed. The good-humoured cheek of Jeanie lost the first flush of juvenile freshness; Reuben's brow assumed the gravity of manhood, yet the means of obtaining a settlement seemed remote as ever. Fortu-

nately for the lovers, their passion was of no ardent or enthusiastic cast; and a sense of duty on both sides induced them to bear, with patient fortitude, the protracted interval which divided them from each other.

In the meanwhile, time did not roll on without effecting his usual changes. The widow of Stephen Butler, so long the prop of the family of Beersheba, was gathered to her fathers; and Rebecca, the careful spouse of our friend Davie Deans, was also summoned from her plans of matrimonial and domestic economy. The morning after her death, Reuben Butler went to offer his mite of consolation to his old friend and benefactor. He witnessed, on this occasion, a remarkable struggle betwixt the force of natural affection, and the religious stoicism, which the sufferer thought it was incumbent upon him to maintain under each earthly dispensation, whether of weal or wo.

On his arrival at the cottage, Jeanie, with her eyes overflowing with tears, pointed to the little orchard, "in which," she whispered with broken accents, "my poor father has been since his misfortune." Somewhat alarmed at this account, Butler entered the orchard, and advanced slowly towards his old friend, who, seated in a small rude arbour, appeared to be sunk in the extremity of his affliction. He lifted his eyes somewhat sternly as Butler approached, as if offended at the interruption; but as the young man hesitated whether he ought to retreat or advance, he arose, and came forward to meet him, with a self-possessed and even dignified air.

"Young man," said the sufferer, "lay it not to heart, though the righteous perish and the merciful are removed, seeing, it may well be said, that they are taken away from the evils to come. Wo to me, were I to shed a tear

for the wife of my bosom, when I might weep rivers of water for this afflicted Church, cursed as it is with carnal seekers and with the dead of heart."

"I am happy," said Butler, "that you can forget your private affliction in your regard for public duty."

"Forget, Reuben?" said poor Deans, putting his handkerchief to his eyes,—"She's not to be forgotten on this side of time; but He that gives the wound can send the ointment. I declare there have been times during this night when my meditation has been so wrapt, that I knew not of my heavy loss. It has been with me as with the worthy John Semple, called Carspharn John,* upon a like trial,—I have been this night on the banks of Ulai, plucking an apple here and there."

Notwithstanding the assumed fortitude of Deans, which he conceived to be the discharge of a great Christian duty, he had too good a heart not to suffer deeply under this heavy loss. Woodend became altogether distasteful to him; and as he had obtained both substance and experience by his management of that little farm, he resolved to employ them as a dairy-farmer, or cow-feeder, as they are called in Scotland. The situation he chose for his new settlement was at a place called Saint Leonard's Crags, lying betwixt Edinburgh and the mountain

* John Semple, called Carspharn John, because minister of the parish in Galloway so called, was a presbyterian clergyman of singular piety and great zeal, of whom Patrick Walker records the following passage: "That night after his wife died, he spent the whole ensuing night in prayer and meditation in his garden. The next morning, one of his elders coming to see him, and lamenting his great loss and want of rest, he replied,—'I declare I have not, all night, had one thought of the death of my wife, I have been so taken up in meditating on heavenly things. I have been this night on the banks of Ulai, plucking an apple here and there.'"—*Walker's Remarkable Passages of the Life and Death of Mr. John Semple.*

called Arthur's Seat, and adjoining to the extensive sheep pasture still named the King's Park, from its having been formerly dedicated to the preservation of the royal game. Here he rented a small lonely house, about half a mile distant from the nearest point of the city, but the site of which, with all the adjacent ground, is now occupied by the buildings which form the south-eastern suburb. An extensive pasture-ground adjoining, which Deans rented from the keeper of the Royal Park, enabled him to feed his milk-cows; and the unceasing industry and activity of Jeanie, his eldest daughter, were exerted in making the most of their produce.

She had now less frequent opportunities of seeing Reuben, who had been obliged, after various disappointments, to accept the subordinate situation of assistant in a parochial school of some eminence, at three or four miles' distance from the city. Here he distinguished himself, and became acquainted with several respectable burgesses, who, on account of health, or other reasons, chose that their children should commence their education in this little village. His prospects were thus gradually brightening, and upon each visit which he paid at Saint Leonard's he had an opportunity of gliding a hint to this purpose into Jeanie's ear. These visits were necessarily very rare, on account of the demands which the duties of the school made upon Butler's time. Nor did he dare to make them even altogether so frequent as these avocations would permit. Deans received him with civility indeed, and even with kindness; but Reuben, as is usual in such cases, imagined that he read his purpose in his eyes, and was afraid too premature an explanation on the subject would draw down his positive disapproval. Upon the whole, therefore, he judged it prudent to call

at St. Leonard's just so frequently as old acquaintance and neighbourhood seemed to authorize, and no oftener. There was another person who was more regular in his visits.

When Davie Deans intimated to the Laird of Dumbiedikes his purpose of "quitting wi' the land and house at Woodend," the Laird stared and said nothing. He made his usual visits at the usual hour without remark, until the day before the term, when, observing the bustle of moving furniture already commenced, the great east-country *awmrie* dragged out of its nook, and standing with its shoulder to the company, like an awkward booby about to leave the room, the Laird again stared mightily, and was heard to ejaculate, "Hegh, sirs!" Even after the day of departure was past and gone, the Laird of Dumbiedikes, at his usual hour, which was that at which David Deans was wont to "loose the pleugh," presented himself before the closed door of the cottage at Woodend, and seemed as much astonished at finding it shut against his approach as if it was not exactly what he had to expect. On this occasion he was heard to ejaculate, "Gude guide us!" which, by those who knew him, was considered as a very unusual mark of emotion. From that moment forward, Dumbiedikes became an altered man, and the regularity of his movements, hitherto so exemplary, was as totally disconcerted as those of a boy's watch when he has broken the main-spring. Like the index of the said watch, did Dumbiedikes spin round the whole bounds of his little property, which may be likened unto the dial of the time-piece, with unwonted velocity. There was not a cottage into which he did not enter, nor scarce a maiden on whom he did not stare. But so it was, that although there were better farm-houses on the

land than Woodend, and certainly much prettier girls than Jeanie Deans, yet it did somehow befall that the blank in the Laird's time was not so pleasantly filled up as it had been. There was no seat accommodated him so well as the "bunker" at Woodend, and no face he loved so much to gaze on as Jeanie Deans's. So, after spinning round and round his little orbit, and then remaining stationary for a week, it seems to have occurred to him, that he was not pinned down to circulate on a pivot, like the hands of the watch, but possessed the power of shifting his central point, and extending his circle if he thought proper. To realize which privilege of change of place, he bought a pony from a Highland drover, and with its assistance and company stepped, or rather stumbled, as far as Saint Leonard's Crags.

Jeanie Deans, though so much accustomed to the Laird's staring that she was sometimes scarce conscious of his presence, had, nevertheless, some occasional fears lest he should call in the organ of speech to back those expressions of admiration which he bestowed on her through his eyes. Should this happen, farewell, she thought, to all chance of a union with Butler. For her father, however stout-hearted and independent in civil and religious principles, was not without that respect for the laird of the land, so deeply imprinted on the Scottish tenantry of the period. Moreover, if he did not positively dislike Butler, yet his fund of carnal learning was often the object of sarcasms on David's part, which were perhaps founded in jealousy, and which certainly indicated no partiality for the party against whom they were launched. And, lastly, the match with Dumbiedikes would have presented irresistible charms to one who used to complain that he felt himself apt to take "ower grit

an armfu' o' the warld." So that, upon the whole, the Laird's diurnal visits were disagreeable to Jeanie from apprehension of future consequences, and it served much to console her, upon removing from the spot where she was bred and born, that she had seen the last of Dumbiedikes, his laced-hat, and tobacco-pipe. The poor girl no more expected he could muster courage to follow her to Saint Leonard's Crags, than that any of her apple-trees or cabbages which she had left rooted in the "yard" at Woodend, would spontaneously, and unaided, have undertaken the same journey. It was, therefore, with much more surprise than pleasure that, on the sixth day after their removal to Saint Leonard's, she beheld Dumbiedikes arrive, laced-hat, tobacco-pipe, and all, and, with the self-same greeting of "How's a' wi' ye, Jeanie?—Whare's the gudeman?" assume as nearly as he could the same position in the cottage at Saint Leonard's which he had so long and so regularly occupied at Woodend. He was no sooner, however, seated, than with an unusual exertion of his powers of conversation, he added, "Jeanie—I say, Jeanie, woman,"—here he extended his hand towards her shoulder with all the fingers spread out as if to clutch it, but in so bashful and awkward a manner, that when she whisked herself beyond its reach, the paw remained suspended in the air with the palm open, like the claw of a heraldic griffin—"Jeanie," continued the swain, in this moment of inspiration,—"I say, Jeanie, it's a braw day out-by, and the roads are no that ill for boot-hose."

"The deil's in the daidling body," muttered Jeanie between her teeth; "wha wad hae thought o' his daikering out this length?" And she afterwards confessed that she threw a little of this ungracious sentiment into her accent and manner; for her father being abroad, and the "body,"

as she irreverently termed the landed proprietor, "looking unco gleg and canty, she didna ken what he might be coming out wi' next."

Her frowns, however, acted as a complete sedative, and the Laird relapsed from that day into his former taciturn habits, visiting the cowfeeder's cottage three or four times every week, when the weather permitted, with apparently no other purpose than to stare at Jeanie Deans, while Douce Davie poured forth his eloquence upon the controversies and testimonies of the day.

CHAPTER X.

Her air, her manners, all who saw admired,
Courteous, though coy, and gentle, though retired;
The joy of youth and health her eyes displayed;
And ease of heart her every look conveyed.

CRABBE.

THE visits of the Laird thus again sunk into matters of ordinary course, from which nothing was to be expected or apprehended. If a lover could have gained a fair one as a snake is said to fascinate a bird, by pertinaciously gazing on her with great stupid greenish eyes, which began now to be occasionally aided by spectacles, unquestionably Dumbiedikes would have been the person to perform the feat. But the art of fascination seems among the *artes perditæ*, and I cannot learn that this most pertinacious of starers produced any effect by his attentions beyond an occasional yawn.

In the meanwhile, the object of his gaze was gradually attaining the verge of youth, and approaching to what is called in females the middle age, which is impolitely held to begin a few years earlier with their more fragile sex than with men. Many people would have been of opinion, that the Laird would have done better to have transferred his glances to an object possessed of far superior charms to Jeanie's, even when Jeanie's were in their bloom, who began now to be distinguished by all who visited the cottage at St. Leonard's Crags.

Effie Deans, under the tender and affectionate care of her sister, had now shot up into a beautiful and blooming girl. Her Grecian-shaped head was profusely rich in waving ringlets of brown hair, which, confined by a blue snood of silk, and shading a laughing Hebe countenance, seemed the picture of health, pleasure, and contentment. Her brown russet short-gown set off a shape, which time, perhaps, might be expected to render too robust, the frequent objection to Scottish beauty, but which, in her present early age, was slender and taper, with that graceful and easy sweep of outline which at once indicates health and beautiful proportion of parts.

These growing charms, in all their juvenile profusion, had no power to shake the steadfast mind, or divert the fixed gaze, of the constant Laird of Dumbiedikes. But there was scarce another eye that could behold this living picture of health and beauty, without pausing on it with pleasure. The traveller stopped his weary horse on the eve of entering the city which was the end of his journey, to gaze at the sylph-like form that tripped by him, with her milk-pail poised on her head, bearing herself so erect, and stepping so light and free under her burden, that it seemed rather an ornament than an encumbrance. The lads of the neighbouring suburb, who held their evening rendezvous for putting the stone, casting the hammer, playing at long bowls, and other athletic exercises, watched the motions of Effie Deans, and contended with each other which should have the good fortune to attract her attention. Even the rigid Presbyterians of her father's persuasion, who held each indulgence of the eye and sense to be a snare at least, if not a crime, were surprised into a moment's delight while gazing on a creature so exquisite,—instantly checked by a sigh, reproaching at

once their own weakness, and mourning that a creature so fair should share in the common and hereditary guilt and imperfection of our nature. She was currently entitled the Lily of St. Leonard's, a name which she deserved as much by her guileless purity of thought, speech, and action, as by her uncommon loveliness of face and person.

Yet there were points in Effie's character which gave rise not only to strange doubt and anxiety on the part of Douce David Deans, whose ideas were rigid, as may easily be supposed, upon the subject of youthful amusements, but even of serious apprehension to her more indulgent sister. The children of the Scotch of the inferior classes are usually spoiled by the early indulgence of their parents; how, wherefore, and to what degree, the lively and instructive narrative of the amiable and accomplished authoress of "Glenburnie"* has saved me and all future scribblers the trouble of recording. Effie had had a double share of this inconsiderate and misjudged kindness. Even the strictness of her father's principles could not condemn the sports of infancy and childhood; and to the good old man, his younger daughter, the child of his old age, seemed a child for some years after she attained the years of womanhood, was still called the "bit lassie," and "little Effie," and was permitted to run up and down uncontrolled, unless upon the Sabbath, or at the times of family worship. Her sister, with all the love and care of a mother, could not be supposed to possess the same authoritative influence; and that which she had hitherto exercised became gradually limited and diminished as Effie's advancing years entitled her, in her own conceit at least, to the right of independence and free agency. With all the innocence and goodness of dis-

* Mrs. Elizabeth Hamilton, now no more.—*Editor.*

position, therefore, which we have described, the Lily of St. Leonard's possessed a little fund of self-conceit and obstinacy, and some warmth and irritability of temper, partly natural perhaps, but certainly much increased by the unrestrained freedom of her childhood. Her character will be best illustrated by a cottage evening scene.

The careful father was absent in his well-stocked byre, foddering those useful and patient animals on whose produce his living depended, and the summer evening was beginning to close in, when Jeanie Deans began to be very anxious for the appearance of her sister, and to fear that she would not reach home before her father returned from the labour of the evening, when it was his custom to have "family exercise," and when she knew that Effie's absence would give him the most serious displeasure. These apprehensions hung heavier upon her mind, because, for several preceding evenings, Effie had disappeared about the same time, and her stay, at first so brief as scarce to be noticed, had been gradually protracted to half an hour, and an hour, and on the present occasion had considerably exceeded even this last limit. And now, Jeanie stood at the door, with her hand before her eyes to avoid the rays of the level sun, and looked alternately along the various tracks which led towards their dwelling, to see if she could descry the nymph-like form of her sister. There was a wall and a stile which separated the royal domain, or King's Park, as it is called, from the public road; to this pass she frequently directed her attention, when she saw two persons appear there somewhat suddenly, as if they had walked close by the side of the wall to screen themselves from observation. One of them, a man, drew back hastily; the other, a female, crossed the stile, and advanced towards her—It

was Effie. She met her sister with that affected liveliness of manner, which, in her rank, and sometimes in those above it, females occasionally assume to hide surprise or confusion; and she carolled as she came—

> "The elfin knight sate on the brae,
> The broom grows bonny, the broom grows fair;
> And by there came lilting a lady so gay,
> And we daurna gang down to the broom nae mair."

"Whist, Effie," said her sister; "our father's coming out o' the byre."—The damsel stinted in her song.—"Whare hae ye been sae late at e'en?"

"It's no late, lass," answered Effie.

"It's chappit eight on every clock o' the town, and the sun's gaun down ahint the Corstorphine hills—Where can ye hae been sae late?"

"Nae gate," answered Effie.

"And wha was that parted wi' you at the stile?"

"Naebody," replied Effie, once more.

"Nae gate?—Naebody?—I wish it may be a right gate, and a right body, that keeps folk out sae late at e'en, Effie."

"What needs ye be aye speering then at folk?" retorted Effie. "I'm sure, if ye'll ask nae questions, I'll tell ye nae lees. I never ask what brings the Laird of Dumbiedikes glowering here like a wull-cat, (only his een's greener, and no sae gleg,) day after day, till we are a' like to gaunt our chafts aff."

"Because ye ken very weel he comes to see our father," said Jeanie, in answer to this pert remark.

"And Dominie Butler—Does he come to see our father, that's sae taen wi' his Latin words?" said Effie, delighted to find that, by carrying the war into the enemy's country, she could divert the threatened attack upon herself, and

with the petulance of youth she pursued her triumph over her prudent elder sister. She looked at her with a sly air, in which there was something like irony, as she chanted, in a low but marked tone, a scrap of an old Scotch song—

> "Through the kirkyard
> I met wi' the Laird,
> The silly puir body he said me nae harm;
> But just ere 'twas dark,
> I met wi' the clerk——"

Here the songstress stopped, looked full at her sister, and, observing the tears gather in her eyes, she suddenly flung her arms round her neck, and kissed them away. Jeanie, though hurt and displeased, was unable to resist the caresses of this untaught child of nature, whose good and evil seemed to flow rather from impulse than from reflection. But as she returned the sisterly kiss, in token of perfect reconciliation, she could not suppress the gentle reproof—"Effie, if ye will learn fule sangs, ye might make a kinder use of them."

"And so I might, Jeanie," continued the girl, clinging to her sister's neck; "and I wish I had never learned ane o' them—and I wish we had never come here—and I wish my tongue had been blistered or I had vexed ye."

"Never mind that, Effie," replied the affectionate sister; "I canna be muckle vexed wi' ony thing ye say to me—but O dinna vex our father!"

"I will not—I will not," replied Effie; "and if there were as mony dances the morn's night as there are merry dancers in the north firmament on a frosty e'en, I winna budge an inch to gang near ane o' them."

"Dance!" echoed Jeanie Deans in astonishment. "O, Effie, what could take ye to a dance?"

It is very possible, that, in the communicative mood into which the Lily of St. Leonard's was now surprised, she might have given her sister her unreserved confidence, and saved me the pain of telling a melancholy tale; but at the moment the word dance was uttered, it reached the ear of old David Deans, who had turned the corner of the house, and came upon his daughters ere they were aware of his presence. The word *prelate*, or even the word *pope*, could hardly have produced so appalling an effect upon David's ear; for, of all exercises, that of dancing, which he termed a voluntary and regular fit of distraction, he deemed most destructive of serious thoughts, and the readiest inlet to all sorts of licentiousness; and he accounted the encouraging, and even permitting, assemblies or meetings, whether among those of high or low degree, for this fantastic and absurd purpose, or for that of dramatic representations, as one of the most flagrant proofs of defection and causes of wrath. The pronouncing of the word *dance* by his own daughters, and at his own door, now drove him beyond the verge of patience. "Dance!" he exclaimed. "Dance?—dance, said ye? I daur ye, limmers that ye are, to name sic a word at my door-cheek! It's a dissolute profane pastime, practised by the Israelites only at their base and brutal worship of the Golden Calf at Bethel, and by the unhappy lass wha danced aff the head of John the Baptist, upon whilk chapter I will exercise this night for your farther instruction, since ye need it sae muckle, nothing doubting that she has cause to rue the day, lang or this time, that e'er she suld hae shook a limb on sic an errand. Better for her to hae been born a cripple, and carried frae door to door, like auld Bessie Bowie, begging bawbees, than to be a king's daughter, fiddling and flinging

the gate she did. I hae often wondered that ony ane that ever bent a knee for the right purpose, should ever daur to crook a hough to fyke and fling at piper's wind and fiddler's squealing. And I bless God, (with that singular worthy, Peter Walker the packman at Bristo-Port.*) that ordered my lot in my dancing days, so that

* This personage, whom it would be base ingratitude in the author to pass over without some notice, was by far the most zealous and faithful collector and recorder of the actions and opinions of the Cameronians. He resided, while stationary, at the Bristo-Port of Edinburgh, but was by trade an itinerant merchant, or pedlar, which profession he seems to have exercised in Ireland as well as Britain. He composed biographical notices of Alexander Peden, John Semple, John Welwood, and Richard Cameron, all ministers of the Cameronian persuasion, to which the last-mentioned member gave the name.

It is from such tracts as these, written in the sense, feeling, and spirit of the sect, and not from the sophisticated narratives of a later period, that the real character of the persecuted class is to be gathered. Walker writes with a simplicity which sometimes slides into the burlesque, and sometimes attains a tone of simple pathos, but always expressing the most daring confidence in his own correctness of creed and sentiments, sometimes with narrow-minded and disgusting bigotry. His turn for the marvellous was that of his time and sect; but there is little room to doubt his veracity concerning whatever he quotes on his own knowledge. His small tracts now bring a very high price, especially the earlier and authentic editions.

The tirade against dancing, pronounced by David Deans, is, as intimated in the text, partly borrowed from Peter Walker. He notices, as a foul reproach upon the name of Richard Cameron, that his memory was vituperated "by pipers and fiddlers playing the Cameronian march—carnal vain springs, which too many professors of religion dance to; a practice unbecoming the professors of Christianity to dance to any spring, but somewhat more to this. Whatever," he proceeds, "be the many foul blots recorded of the saints in Scripture, none of them is charged with this regular fit of distraction. We find it has been practised by the wicked and profane, as the dancing at that brutish, base action of the calf-making; and it had been good for that unhappy lass, who danced off the head of John the Baptist, that she had been born a cripple, and never drawn a limb to her. Historians say, that her sin was written upon her judgment, who some time

fear of my head and throat, dread of bloody rope and swift bullet, and trenchant swords and pain of boots and

thereafter was dancing upon the ice, and it broke, and snapt the head off her; her head danced above, and her feet beneath. There is ground to think and conclude, that when the world's wickedness was great, dancing at their marriages was practised; but when the heavens above, and the earth beneath, were let loose upon them with that overflowing flood, their mirth was soon staid; and when the Lord in holy justice rained fire and brimstone from heaven upon that wicked people and city of Sodom, enjoying fulness of bread and idleness, their fiddlestrings and hands went all in a flame; and the whole people in thirty miles of length, and ten of breadth, as historians say, were all made to fry in their skins; and at the end, whoever are giving in marriages and dancing when all will go in a flame, they will quickly change their note.

"I have often wondered thorow my life, how any that ever knew what it was to bow a knee in earnest to pray, durst crook a hough to fyke and fling at a piper's and fiddler's springs. I bless the Lord that ordered my lot so in my dancing days, that made the fear of the bloody rope and bullets to my neck and head, the pain of boots, thumikens, and irons, cold and hunger, wetness and weariness, to stop the lightness of my head, and the wantonness of my feet. What the never-to-be-forgotten Man of God, John Knox, said to Queen Mary, when she gave him that sharp challenge, which would strike our mean-spirited, tongue-tacked ministers dumb, for his giving public faithful warning of the danger of the church and nation, through her marrying the Dauphine of France, when he left her bubbling and greeting, and came to an outer court, where her Lady Maries were fyking and dancing, he said, 'O brave ladies, a brave world, if it would last, and heaven at the hinder end! But fye upon the knave Death, that will seize upon those bodies of yours; and where will all your fiddling and flinging be then?' Dancing being such a common evil, especially amongst young professors, that all the lovers of the Lord should hate, has caused me to insist the more upon it, especially that foolish spring the Cameronian march!"—*Life and Death of three Famous Worthies, &c., by Peter Walker*, 12mo, p. 59.

It may be here observed, that some of the milder class of Cameronians make a distinction between the two sexes dancing separately, and allowed of it as a healthy and not unlawful exercise; but when men and women mingled in sport, it was then called *promiscuous dancing*, and considered as a scandalous enormity.

thumkins, cauld and hunger, wetness and weariness, stopped the lightness of my head, and the wantonness of my feet. And now, if I hear ye, quean lassies, sae muckle as name dancing, or think there's sic a thing in this warld as flinging to fiddler's sounds and piper's springs, as sure as my father's spirit is with the just, ye shall be no more either charge or concern of mine! Gang in, then—gang in, then, hinnies," he added, in a softer tone, for the tears of both daughters, but especially those of Effie, began to flow very fast,—"Gang in, dears, and we'll seek grace to preserve us frae all manner of profane folly, whilk causeth to sin, and promoteth the kingdom of darkness, warring with the kingdom of light."

The objurgation of David Deans, however well meant, was unhappily timed. It created a division of feelings in Effie's bosom, and deterred her from her intended confidence in her sister. "She wad haud me nae better than the dirt below her feet," said Effie to herself, "were I to confess I hae danced wi' him four times on the green down by, and ance at Maggie Macqueens's; and she'll maybe hing it ower my head that she'll tell my father, and then she wad be mistress and mair. But I'll no gang back there again. I'm resolved I'll no gang back. I'll lay in a leaf of my Bible,* and that's very near as if I had made an aith, that I winna gang back." And she kept her vow for a week, during which she was unusually cross and fretful, blemishes which had never before been observed in her temper, except during a moment of contradiction.

There was something in all this so mysterious as con-

* This custom of making a mark by folding a leaf in the party's Bible, when a solemn resolution is formed, is still held to be, in some sense, an appeal to Heaven for his or her sincerity.

siderably to alarm the prudent and affectionate Jeanie, the more so as she judged it unkind to her sister to mention to their father grounds of anxiety which might arise from her own imagination. Besides, her respect for the good old man did not prevent her from being aware that he was both hot-tempered and positive, and she sometimes suspected that he carried his dislike to youthful amusements beyond the verge that religion and reason demanded. Jeanie had sense enough to see that a sudden and severe curb upon her sister's hitherto unrestrained freedom might be rather productive of harm than good, and that Effie, in the headstrong wilfulness of youth, was likely to make what might be overstrained in her father's precepts an excuse to herself for neglecting them altogether. In the higher classes, a damsel, however giddy, is still under the dominion of etiquette, and subject to the surveillance of mammas and chaperons; but the country girl, who snatches her moment of gaiety during the intervals of labour, is under no such guardianship or restraint, and her amusement becomes so much the more hazardous. Jeanie saw all this with much distress of mind, when a circumstance occurred which appeared calculated to relieve her anxiety.

Mrs. Saddletree, with whom our readers have already been made acquainted, chanced to be a distant relation of Douce David Deans, and as she was a woman orderly in her life and conversation, and, moreover, of good substance, a sort of acquaintance was formally kept up between the families. Now, this careful dame, about a year and a half before our story commences, chanced to need, in the line of her profession, a better sort of servant, or rather shop-woman. "Mr. Saddletree," she said, "was never in the shop when he could get his nose within

the Parliament House, and it was an awkward thing for a woman-body to be standing among bundles o' barkened leather her lane, selling saddles and bridles; and she had cast her eyes upon her far-awa cousin Effie Deans, as just the very sort of lassie she would want to keep her in countenance on such occasions."

In this proposal there was much that pleased old David,—there was bed, board, and bountith—it was a decent situation—the lassie would be under Mrs. Saddletree's eye, who had an upright walk, and lived close by the Tolbooth Kirk, in which might still be heard the comforting doctrines of one of those few ministers of the Kirk of Scotland who had not bent the knee unto Baal, according to David's expression, or become accessory to the course of national defections,—union, toleration, patronages, and a bundle of prelatical Erastian oaths which had been imposed on the church since the Revolution, and particularly in the reign of "the late woman," (as he called Queen Anne,) the last of that unhappy race of Stuarts. In the good man's security concerning the soundness of the theological doctrine which his daughter was to hear, he was nothing disturbed on account of the snares of a different kind, to which a creature so beautiful, young, and wilful, might be exposed in the centre of a populous and corrupted city. The fact is, that he thought with so much horror on all approaches to irregularities of the nature most to be dreaded in such cases, that he would as soon have suspected and guarded against Effie's being induced to become guilty of the crime of murder. He only regretted that she should live under the same roof with such a worldly-wise man as Bartoline Saddletree, whom David never suspected of being an ass as he was, but considered as one really

endowed with all the legal knowledge to which he made pretension, and only liked him the worse for possessing it. The lawyers, especially those amongst them who sate as ruling elders in the General Assembly of the Kirk, had been forward in promoting the measures of patronage, of the abjuration oath, and others, which, in the opinion of David Deans, were a breaking down of the carved work of the sanctuary, and an intrusion upon the liberties of the kirk. Upon the dangers of listening to the doctrines of a legalized formalist, such as Saddletree, David gave his daughter many lectures; so much so, that he had time to touch but slightly on the dangers of chambering, company-keeping, and promiscuous dancing, to which, at her time of life, most people would have thought Effie more exposed, than to the risk of theoretical error in her religious faith.

Jeanie parted from her sister, with a mixed feeling of regret, and apprehension, and hope. She could not be so confident concerning Effie's prudence as her father, for she had observed her more narrowly, had more sympathy with her feelings, and could better estimate the temptations to which she was exposed. On the other hand, Mrs. Saddletree was an observing, shrewd, notable woman, entitled to exercise over Effie the full authority of a mistress, and likely to do so strictly, yet with kindness. Her removal to Saddletree's, it was most probable, would also serve to break off some idle acquaintances, which Jeanie suspected her sister to have formed in the neighbouring suburb. Upon the whole, then, she viewed her departure from Saint Leonard's with pleasure, and it was not until the very moment of their parting for the first time in their lives, that she felt the full force of sisterly sorrow. While they repeatedly kissed each other's

cheeks and wrung each other's hands, Jeanie took that moment of affectionate sympathy to press upon her sister the necessity of the utmost caution in her conduct while residing in Edinburgh. Effie listened, without once raising her large dark eyelashes, from which the drops fell so fast as almost to resemble a fountain. At the conclusion she sobbed again, kissed her sister, promised to recollect all the good counsel she had given her, and they parted.

During the first weeks, Effie was all that her kinswoman expected, and even more. But with time there came a relaxation of that early zeal which she manifested in Mrs. Saddletree's service. To borrow once again from the poet, who so correctly and beautifully describes living manners,—

> Something there was,—what, none presumed to say,—
> Clouds lightly passing on a summer's day;
> Whispers and hints, which went from ear to ear,
> And mix'd reports no judge on earth could clear.

During this interval, Mrs. Saddletree was sometimes displeased by Effie's lingering when she was sent upon errands about the shop business, and sometimes by a little degree of impatience which she manifested at being rebuked on such occasions. But she good-naturedly allowed, that the first was very natural to a girl to whom every thing in Edinburgh was new, and the other was only the petulance of a spoiled child, when subjected to the yoke of domestic discipline for the first time. Attention and submission could not be learned at once—Holyrood was not built in a day—use would make perfect.

It seemed as if the considerate old lady had presaged truly. Ere many months had passed, Effie became almost wedded to her duties, though she no longer discharged them

with the laughing cheek and light step, which had at first attracted every customer. Her mistress sometimes observed her in tears, but they were signs of secret sorrow, which she concealed as often as she saw them attract notice. Time wore on, her cheek grew pale, and her step heavy. The cause of these changes could not have escaped the matronly eye of Mrs. Saddletree, but she was chiefly confined by indisposition to her bedroom for a considerable time during the latter part of Effie's service. This interval was marked by symptoms of anguish almost amounting to despair. The utmost efforts of the poor girl to command her fits of hysterical agony were often totally unavailing, and the mistakes which she made in the shop the while were so numerous and so provoking, that Bartoline Saddletree, who, during his wife's illness, was obliged to take closer charge of the business than consisted with his study of the weightier matters of the law, lost all patience with the girl, who, in his law Latin, and without much respect to gender, he declared ought to be cognosced by inquest of a jury, as *fatuus*, *furiosus*, and *naturaliter idiota*. Neighbours, also, and fellow-servants, remarked with malicious curiosity or degrading pity, the disfigured shape, loose dress, and pale cheeks, of the once beautiful and still interesting girl. But to no one would she grant her confidence, answering all taunts with bitter sarcasm, and all serious expostulation with sullen denial, or with floods of tears.

At length, when Mrs. Saddletree's recovery was likely to permit her wonted attention to the regulation of her household, Effie Deans, as if unwilling to face an investigation made by the authority of her mistress, asked permission of Bartoline to go home for a week or two, assigning indisposition, and the wish of trying the benefit

of repose and the change of air, as the motives of her request. Sharp-eyed as a lynx (or conceiving himself to be so) in the nice sharp quillits of legal discussion, Bartoline was as dull at drawing inferences from the occurrences of common life as any Dutch professor of mathematics. He suffered Effie to depart without much suspicion, and without any inquiry.

It was afterwards found that a period of a week intervened betwixt her leaving her master's house and arriving at St. Leonard's. She made her appearance before her sister in a state rather resembling the spectre than the living substance of the gay and beautiful girl, who had left her father's cottage for the first time scarce seventeen months before. The lingering illness of her mistress had, for the last few months, given her a plea for confining herself entirely to the dusky precincts of the shop in the Lawnmarket, and Jeanie was so much occupied, during the same period, with the concerns of her father's household, that she had rarely found leisure for a walk in the city, and a brief and hurried visit to her sister. The young women, therefore, had scarcely seen each other for several months, nor had a single scandalous surmise reached the ears of the secluded inhabitants of the cottage at St. Leonard's. Jeanie, therefore, terrified to death at her sister's appearance, at first overwhelmed her with inquiries, to which the unfortunate young woman returned for a time incoherent and rambling answers, and finally fell into a hysterical fit. Rendered too certain of her sister's misfortune, Jeanie had now the dreadful alternative of communicating her ruin to her father, or of endeavouring to conceal it from him. To all questions concerning the name or rank of her seducer, and the fate of the being to whom her fall had given birth, Effie

remained as mute as the grave, to which she seemed hastening; and indeed the least allusion to either seemed to drive her to distraction. Her sister, in distress and in despair, was about to repair to Mrs. Saddletree to consult her experience, and at the same time to obtain what lights she could upon this most unhappy affair, when she was saved that trouble by a new stroke of fate, which seemed to carry misfortune to the uttermost.

David Deans had been alarmed at the state of health in which his daughter had returned to her paternal residence; but Jeanie had contrived to divert him from particular and specific inquiry. It was therefore like a clap of thunder to the poor old man, when, just as the hour of noon had brought the visit of the Laird of Dumbiedikes as usual, other and sterner, as well as most unexpected guests, arrived at the cottage of St. Leonard's. These were the officers of justice, with a warrant of justiciary to search for and apprehend Euphemia, or Effie, Deans, accused of the crime of child-murder. The stunning weight of a blow so totally unexpected bore down the old man, who had in his early youth resisted the brow of military and civil tyranny, though backed with swords and guns, tortures and gibbets. He fell extended and senseless upon his own hearth; and the men, happy to escape from the scene of his awakening, raised, with rude humanity, the object of their warrant from her bed, and placed her in a coach, which they had brought with them. The hasty remedies which Jeanie had applied to bring back her father's senses were scarce begun to operate, when the noise of the wheels in motion recalled her attention to her miserable sister. To run shrieking after the carriage was the first vain effort of her distraction, but she was stopped by one or two female neighbours,

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'Cry of an Howl in the Desert,' printed at the Bow-head, and sold by all flying stationers in town and country—and *now*——"

Here he paused. It may well be supposed that Butler, though not absolutely coinciding in all the good old man's ideas about church government, had too much consideration and humanity to interrupt him, while he reckoned up with conscious pride his sufferings, and the constancy of his testimony. On the contrary, when he paused under the influence of the bitter recollections of the moment, Butler instantly threw in his mite of encouragement.

"You have been well known, my old and revered friend, a true and tried follower of the Cross; one who, as Saint Jerome hath it, '*per infamiam et bonam famam grassari ad immortalitatem*,' which may be freely rendered, 'who rusheth on to immortal life, through bad report and good report.' You have been one of those to whom the tender and fearful souls cry during the midnight solitude—'Watchman, what of the night?—Watchman, what of the night?'—And, assuredly, this heavy dispensation, as it comes not without divine permission, so it comes not without its special commission and use."

"I do receive it as such," said poor Deans, returning the grasp of Butler's hand; "and, if I have not been taught to read the Scripture in any other tongue but my native Scottish," (even in his distress Butler's Latin quotation had not escaped his notice,) "I have, nevertheless, so learned them, that I trust to bear even this crook in my lot with submission. But, oh! Reuben Butler, the kirk, of whilk, though unworthy, I have yet been thought a polished shaft, and meet to be a pillar, holding, from my youth upward, the place of ruling elder—what will

the lightsome and profane think of the guide that cannot keep his own family from stumbling? How will they take up their song and their reproach, when they see that the children of professors are liable to as foul backsliding as the offspring of Belial! But I will bear my cross with the comfort, that whatever showed like goodness in me or mine, was but like the light that shines frae creeping insects, on the brae-side, in a dark night—it kythes bright to the ee, because all is dark around it; but when the morn comes on the mountains, it is but a puir crawling kail-worm after a'. And sae it shows, wi' ony rag of human righteousness, or formal law-work, that we may pit round us to cover our shame."

As he pronounced these words, the door again opened, and Mr. Bartoline Saddletree entered, his three-pointed hat set far back on his head, with a silk handkerchief beneath it, to keep it in that cool position, his gold-headed cane in his hand, and his whole deportment that of a wealthy burgher, who might one day look to have a share in the magistracy, if not actually to hold the curule chair itself.

Rochefoucault, who has torn the veil from so many foul gangrenes of the human heart, says, we find something not altogether unpleasant to us in the misfortunes of our best friends. Mr. Saddletree would have been very angry had any one told him that he felt pleasure in the disaster of poor Effie Deans, and the disgrace of her family; and yet there is great question whether the gratification of playing the person of importance, inquiring, investigating, and laying down the law on the whole affair, did not offer, to say the least, full consolation for the pain which pure sympathy gave him on account of his wife's kinswoman. He had now got a piece of real

judicial business by the end, instead of being obliged, as was his common case, to intrude his opinion where it was neither wished nor wanted; and felt as happy in the exchange as a boy when he gets his first new watch, which actually goes when wound up, and has real hands and a true dial-plate. But besides this subject for legal disquisition, Bartoline's brains were also overloaded with the affair of Porteous, his violent death, and all its probable consequences to the city and community. It was what the French call *l'embarras des richesses*, the confusion arising from too much mental wealth. He walked in with a consciousness of double importance, full fraught with the superiority of one who possesses more information than the company into which he enters, and who feels a right to discharge his learning on them without mercy. "Good morning, Mr. Deans,—good-morrow to you, Mr. Butler,—I was not aware that you were acquainted with Mr. Deans."

Butler made some slight answer; his reasons may be readily imagined for not making his connexion with the family, which, in his eyes, had something of tender mystery, a frequent subject of conversation with indifferent persons, such as Saddletree.

The worthy burgher, in the plenitude of self-importance, now sate down upon a chair, wiped his brow, collected his breath, and made the first experiment of the resolved pith of his lungs, in a deep and dignified sigh, resembling a groan in sound and intonation—"Awfu' times these, neighbour Deans, awfu' times!"

"Sinfu', shamefu', heaven-daring times," answered Deans, in a lower and more subdued tone.

"For my part," continued Saddletree, swelling with importance, "what between the distress of my friends.

and my poor auld country, ony wit that ever I had may be said to have abandoned me, sae that I sometimes think myself as ignorant as if I were *inter rusticos*. Here when I arise in the morning, wi' my mind just arranged touching what's to be done in puir Effie's misfortune, and hae gotten the haill statute at my finger-ends, the mob maun get up and string Jock Porteous to a dyester's beam, and ding a' thing out of my head again."

Deeply as he was distressed with his own domestic calamity, Deans could not help expressing some interest in the news. Saddletree immediately entered on details of the insurrection and its consequences, while Butler took the occasion to seek some private conversation with Jeanie Deans. She gave him the opportunity he sought, by leaving the room, as if in prosecution of some part of her morning labour. Butler followed her in a few minutes, leaving Deans so closely engaged by his busy visitor, that there was little chance of his observing their absence.

The scene of their interview was an outer apartment, where Jeanie was used to busy herself in arranging the productions of her dairy. When Butler found an opportunity of stealing after her into this place, he found her silent, dejected, and ready to burst into tears. Instead of the active industry with which she had been accustomed, even while in the act of speaking, to employ her hands in some useful branch of household business, she was seated listless in a corner, sinking apparently under the weight of her own thoughts. Yet the instant he entered, she dried her eyes, and, with the simplicity and openness of her character, immediately entered on conversation.

"I am glad you have come in, Mr. Butler," said she,

"for—for—for I wished to tell ye, that all maun be ended between you and me—it's best for baith our sakes."

"Ended!" said Butler, in surprise; "and for what should it be ended?—I grant this is a heavy dispensation, but it lies neither at your door nor mine—it's an evil of God's sending, and it must be borne; but it cannot break plighted troth, Jeanie, while they that plighted their word wish to keep it."

"But, Reuben," said the young woman, looking at him affectionately, "I ken weel that ye think mair of me than yourself; and, Reuben, I can only in requital think mair of your weal than of my ain. Ye are a man of spotless name, bred to God's ministry, and a' men say that ye will some day rise high in the kirk, though poverty keep ye doun e'en now. Poverty is a bad back-friend, Reuben, and that ye ken ower weel; but ill-fame is a waur ane, and that is a truth ye sall never learn through my means."

"What do you mean?" said Butler, eagerly and impatiently; "or how do you connect your sister's guilt, if guilt there be, which, I trust in God, may yet be disproved, with our engagement?—how can that affect you or me?"

"How can you ask me that, Mr. Butler? Will this stain, d'ye think, ever be forgotten, as lang as our heads are abune the grund? Will it not stick to us, and to our bairns, and to their very bairns' bairns? To hae been the child of an honest man, might hae been saying something for me and mine; but to be the sister of a——O my God!"—With this exclamation her resolution failed, and she burst into a passionate fit of tears.

The lover used every effort to induce her to compose herself, and at length succeeded; but she only resumed

her composure to express herself with the same positiveness as before. "No, Reuben, I'll bring disgrace hame to nae man's hearth; my ain distresses I can bear, and I maun bear, but there is nae occasion for buckling them on other folk's shouthers. I will bear my load alone—the back is made for the burden."

A lover is by charter wayward and suspicious; and Jeanie's readiness to renounce their engagement, under pretence of zeal for his peace of mind and respectability of character, seemed to poor Butler to form a portentous combination with the commission of the stranger he had met with that morning. His voice faltered as he asked, "whether nothing but a sense of her sister's present distress occasioned her to talk in that manner?"

"And what else can do sae?" she replied with simplicity. "Is it not ten long years since we spoke together in this way?"

"Ten years!" said Butler. "It's a long time—sufficient perhaps for a woman to weary——"

"To weary of her auld gown," said Jeanie, "and to wish for a new ane if she likes to be brave, but not long enough to weary of a friend—The eye may wish change, but the heart never."

"Never!" said Reuben,—"that's a bold promise."

"But not more bauld than true," said Jeanie, with the same quiet simplicity which attended her manner in joy and grief, in ordinary affairs, and in those which most interested her feelings.

Butler paused, and looking at her fixedly—"I am charged," he said, "with a message to you, Jeanie."

"Indeed! From whom? Or what can ony ane have to say to me?"

"It is from a stranger," said Butler, affecting to speak

with an indifference which his voice belied—"A young man whom I met this morning in the Park."

"Mercy!" said Jeanie, eagerly; "and what did he say?"

"That he did not see you at the hour he expected, but required you should meet him alone at Muschat's Cairn this night, so soon as the moon rises."

"Tell him," said Jeanie, hastily, "I shall certainly come."

"May I ask," said Butler, his suspicions increasing at the ready alacrity of the answer, "who this man is to whom you are so willing to give the meeting at a place and hour so uncommon?"

"Folk maun do muckle they have little will to do, in this world," replied Jeanie.

"Granted," said her lover; "but what compels you to this?—who is this person? What I saw of him was not very favourable—who, or what is he?"

"I do not know," replied Jeanie, composedly.

"You do not know!" said Butler, stepping impatiently through the apartment—"You purpose to meet a young man whom you do not know, at such a time, and in a place so lonely—you say you are compelled to do this—and yet you say you do not know the person who exercises such an influence over you!—Jeanie, what am I to think of this?"

"Think only, Reuben, that I speak truth, as if I were to answer at the last day.—I do not ken this man—I do not even ken that I ever saw him; and yet I must give him the meeting he asks—there's life and death upon it."

"Will you not tell your father, or take him with you?" said Butler.

"I cannot," said Jeanie; "I have no permission."

"Will you let *me* go with you? I will wait in the Park till nightfall, and join you when you set out."

"It is impossible," said Jeanie; "there maunna be mortal creature within hearing of our conference."

"Have you considered well the nature of what you are going to do?—the time—the place—an unknown and suspicious character?—Why, if he had asked to see you in this house, your father sitting in the next room, and within call, at such an hour, you should have refused to see him."

"My weird maun be fulfilled, Mr. Butler; my life and my safety are in God's hands, but I'll not spare to risk either of them on the errand I am gaun to do."

"Then, Jeanie," said Butler, much displeased, "we must indeed break short off, and bid farewell. When there can be no confidence betwixt a man and his plighted wife on such a momentous topic, it is a sign that she has no longer the regard for him that makes their engagement safe and suitable."

Jeanie looked at him and sighed. "I thought," she said, "that I had brought myself to bear this parting—but—but—I did not ken that we were to part in unkindness. But I am a woman and you are a man—it may be different wi' you—if your mind is made easier by thinking sae hardly of me, I would not ask you to think otherwise."

"You are," said Butler, "what you have always been—wiser, better, and less selfish in your native feelings, than I can be, with all the helps philosophy can give to a Christian.—But why—why will you persevere in an undertaking so desperate? Why will you not let me be your assistant—your protector, or at least your adviser?"

"Just because I cannot, and I dare not," answered Jeanie.—"But hark, what's that? Surely my father is no weel?"

In fact, the voices in the next room became obstreperously loud of a sudden, the cause of which vociferation it is necessary to explain before we go farther.

When Jeanie and Butler retired, Mr. Saddletree entered upon the business which chiefly interested the family. In the commencement of their conversation he found old Deans, who, in his usual state of mind, was no granter of propositions, so much subdued by a deep sense of his daughter's danger and disgrace, that he heard without replying to, or perhaps without understanding, one or two learned disquisitions on the nature of the crime imputed to her charge, and on the steps which ought to be taken in consequence. His only answer at each pause was, "I am no misdoubting that you wuss us weel—your wife's our far-awa cousin."

Encouraged by these symptoms of acquiescence, Saddletree, who, as an amateur of the law, had a supreme deference for all constituted authorities, again recurred to his other topic of interest, the murder, namely, of Porteous, and pronounced a severe censure on the parties concerned.

"These are kittle times—kittle times, Mr. Deans, when the people take the power of life and death out of the hands of the rightful magistrate into their ain rough grip. I am of opinion, and so I believe will Mr. Crossmyloof and the Privy-Council, that this rising in effeir of war, to take away the life of a reprieved man, will prove little better than perduellion."

"If I hadna that on my mind whilk is ill to bear, Mr. Saddletree," said Deans, "I wad make bold to dispute that point wi' you."

"How could you dispute what's plain law, man?" said Saddletree, somewhat contemptuously; "there's no a callant that e'er carried a pock wi' a process in't, but will tell you that perduellion is the warst and maist virulent kind of treason, being an open convocating of the king's lieges against his authority, (mair especially in arms, and by touk of drum, to baith whilk accessories my een and lugs bore witness,) and muckle warse than lese-majesty, or the concealment of a treasonable purpose—It winna bear a dispute, neighbour."

"But it will, though," retorted Douce Davie Deans; "I tell ye it will bear a dispute—I never like your cauld, legal, formal doctrines, neighbour Saddletree. I haud unco little by the Parliament House, since the awfu' downfall of the hopes of honest folk that followed the Revolution."

"But what wad ye hae had, Mr. Deans?" said Saddletree, impatiently; "didna ye get baith liberty and conscience made fast, and settled by tailzie on you and your heirs forever?"

"Mr. Saddletree," retorted Deans, "I ken ye are one of those that are wise after the manner of this world, and that ye haud your part, and cast in your portion, wi' the lang-heads and lang-gowns, and keep with the smart witty-pated lawyers of this our land—Weary on the dark and dolefu' cast that they hae gien this unhappy kingdom, when their black hands of defection were clasped in the red hands of our sworn murtherers: when those who had numbered the towers of our Zion, and marked the bulwarks of Reformation, saw their hope turn into a snare, and their rejoicing into weeping."

"I canna understand this, neighbour," answered Saddletree. "I am an honest presbyterian of the Kirk of

Scotland, and stand by her and the General Assembly, and the due administration of justice by the fifteen Lords o' Session and the five Lords o' Justiciary."

"Out upon ye, Mr. Saddletree!" exclaimed David, who, in an opportunity of giving his testimony on the offences and backslidings of the land, forgot for a moment his own domestic calamity—"out upon your General Assembly, and the back of my hand to your Court o' Session!—What is the tane but a waefu' bunch o' cauld-rife professors and ministers, that sate' bien and warm when the persecuted remnant were warstling wi' hunger, and cauld, and fear of death, and danger of fire and sword, upon wet brae-sides, peat-haggs, and flow-mosses, and that now creep out of their holes, like blue-bottle flees in a blink of sunshine, to take the pu'pits and places of better folk—of them that witnessed, and testified, and fought, and endured pit, prison-house, and transportation beyond seas?—A bonny bike there's o' them!—And for your Court o' Session——"

"Ye may say what ye will o' the General Assembly," said Saddletree, interrupting him, "and let them clear them that kens them; but as for the Lords o' Session, forby that they are my next-door neighbours, I would have ye ken, for your ain règulation, that to raise scandal anent them, whilk is termed to *murmur* again them, is a crime *sui generis*,—*sui generis*, Mr. Deans—ken ye what that amounts to?"

"I ken little o' the language of Antichrist," said Deans; "and I care less than little what carnal courts may call the speeches of honest men. And as to murmur again them, it's what a' the folk that loses their pleas, and nine-tenths o' them that win them, will be gay sure to be guilty in. Sae I wad hae ye ken that I haud a' your

gleg-tongued advocates, that sell their knowledge for pieces of silver—and your worldly-wise judges, that will gie three days of hearing in presence to a debate about the peeling of an ingan, and no ae half-hour to the gospel testimony—as legalists and formalists, countenancing, by sentences, and quirks, and cunning terms of law, the late begun courses of national defections—union, toleration, patronages, and Yerastian prelatic oaths. As for the soul and body-killing Court o' Justiciary——"

The habit of considering his life as dedicated to bear testimony in behalf of what he deemed the suffering and deserted cause of true religion, had swept honest David along with it thus far; but with the mention of the criminal court, the recollection of the disastrous condition of his daughter rushed at once on his mind; he stopped short in the midst of his triumphant declamation, pressed his hands against his forehead, and remained silent.

Saddletree was somewhat moved, but apparently not so much so as to induce him to relinquish the privilege of prosing in his turn, afforded him by David's sudden silence. "Nae doubt, neighbour," he said, "it's a sair thing to hae to do wi' courts of law, unless it be to improve ane's knowledge and practique, by waiting on as a hearer; and touching this unhappy affair of Effie—ye'll hae seen the dittay, doubtless?" He dragged out of his pocket a bundle of papers, and began to turn them over. "This is no it—this is the information of Mungo Marsport, of that ilk, against Captain Lackland, for coming on his lands of Marsport with hawks, hounds, lying-dogs, nets, guns, cross-bows, hagbuts of found, or other engines more or less for destruction of game, sic as red-deer, fallow-deer, cappercailzies, grey-fowl, moor-fowl, paitricks, herons, and sic like; he, the said defender not being ane

qualified person, in terms of the statute sixteen hundred and twenty-ane; that is, not having ane plough-gate of land. Now, the defences proponed say, that *non constat* at this present what is a plough-gate of land, whilk uncertainty is sufficient to elide the conclusions of the libel. But then the answers to the defences, (they are signed by Mr. Crossmyloof, but Mr. Younglad drew them,) they propone, that it signifies nacthing, *in hoc statu*, what or how muckle a plough-gate of land may be, in respect the defender has nae lands whatso'er, less or mair. 'Sae grant a plough-gate'" (here Saddletree read from the paper in his hand) "'to be less than the nineteenth part of a guse's grass,'—(I trow Mr. Crossmyloof put in that—I ken his style,)—'of a guse's grass, what the better will the defender be, seeing he hasna a divot-cast of land in Scotland?—*Advocatus* for Lackland duplies, that *nihil interest de possessione*, the pursuer must put his case under the statute'—(now, this is worth your notice, neighbour,)—'and must show, *formaliter et specialiter*, as well as *generaliter*, what is the qualification that defender Lackland does *not* possess—let him tell me what a plough-gate of land is, and I'll tell him if I have one or no. Surely the pursuer is bound to understand his own libel, and his own statute that he founds upon. *Titius* pursues *Mævius* for recovery of ane *black* horse lent to Mævius—surely he shall have judgment; but if Titius pursue Mævius for ane *scarlet* or *crimson* horse, doubtless he shall be bound to show that there is sic ane animal *in rerum natura*. No man can be bound to plead to nonsense—that is to say, to a charge which cannot be explained or understood,'—(he's wrang there—the better the pleadings the fewer understand them,)—'and so the reference unto this undefined and unintelligible measure

of land is, as if a penalty was inflicted by statute for any man who suld hunt or hawk, or use lying-dogs, and wearing a sky-blue pair of breeches, without having'—— But I am wearying you, Mr. Deans,—we'll pass to your ain business,—though this case of Marsport against Lackland has made an unco din in the Outer-House. Weel, here's the dittay against puir Effie: 'Whereas it is humbly meant and shown to us,' &c. (they are words of mere style,) 'that whereas, by the laws of this and every other well-regulated realm, the murder of any one, more especially of an infant child, is a crime of ane high nature, and severely punishable: And whereas, without prejudice to the foresaid generality, it was, by ane act made in the second session of the First Parliament of our most High and Dread Sovereigns William and Mary, especially enacted, that ane woman who shall have concealed her condition, and shall not be able to show that she hath called for help at the birth, in case that the child shall be found dead or amissing, shall be deemed and held guilty of the murder thereof; and the said facts of concealment and pregnancy being found proven or confessed, shall sustain the pains of law accordingly; yet, nevertheless, you, Effie, or Euphemia Deans'"——

"Read no farther!" said Deans, raising his head up; "I would rather ye thrust a sword into my heart than read a word farther!"

"Weel, neighbour," said Saddletree, "I thought it wad hae comforted ye to ken the best and the warst o't. But the question is, what's to be dune?"

"Nothing," answered Deans firmly, "but to abide the dispensation that the Lord sees meet to send us. Oh, if it had been His will to take the grey head to rest before this awful visitation on my house and name! But His

will be done. I can say that yet, though I can say little mair."

"But, neighbour," said Saddletree, "ye'll retain advocates for the puir lassie? it's a thing maun needs be thought of."

"If there was ae man of them," answered Deans, "that held fast his integrity—but I ken them weel, they are a' carnal, crafty, and warld-hunting self-seekers, Yerastians, and Arminians, every ane o' them."

"Hout tout, neighbour, ye maunna take the warld at its word," said Saddletree; "the very deil is no sae ill as he's ca'd; and I ken mair than ae advocate that may be said to hae some integrity as weel as their neighbours; that is, after a sort o' fashion o' their ain."

"It is indeed but a fashion of integrity that ye will find amang them," replied David Deans, "and a fashion of wisdom, and fashion of carnal learning—gazing, glancing-glasses they are, fit only to fling the glaiks in folk's een, wi' their pawky policy, and earthly ingine, their flights and refinements, and periods of cloquence, frae heathen emperors and popish canons. They canna, in that daft trash ye were reading to me, sae muckle as ca' men that are sae ill-starred as to be amang their hands, by ony name o' the dispensation o' grace, but maun new baptize them by the names of the accursed Titus, wha was made the instrument of burning the holy Temple, and other sic like heathens."

"It's Tishius," interrupted Saddletree, "and no Titus. Mr. Crossmyloof cares as little about Titus or the Latin as ye do.—But it's a case of necessity—she maun hae counsel. Now, I could speak to Mr. Crossmyloof—he's weel kend for a round-spun Presbyterian, and a ruling elder to boot."

"He's a rank Yerastian," replied Deans; "one of the public and polititious warldly-wise men that stude up to prevent ane general owning of the cause in the day of power."

"What say ye to the auld Laird of Cuffabout?" said Saddletree; "he whiles thumps the dust out of a case gey and weel."

"He? the fause loon!" answered Deans—"he was in his bandaliers to hae joined the ungracious Highlanders in 1715, an they had ever had the luck to cross the Firth."

"Weel, Arniston? there's a clever chield for ye!" said Bartoline, triumphantly.

"Ay, to bring popish medals in till their very library from that schismatic woman in the north, the Duchess of Gordon."

"Weel, weel, but somebody ye maun hae—What think ye o' Kittlepunt?"

"He's an Arminian."

"Woodsetter?"

"He's, I doubt, a Cocceian."

"Auld Whilliewhaw?"

"He's ony thing ye like."

"Young Næmmo?"

"He's naething at a'."

"Ye're ill to please, neighbour," said Saddletree: "I hae run ower the pick o' them for you, ye maun e'en choose for yoursell; but bethink ye that in the multitude of counsellors there's safety.—What say ye to try young Mackenyie? he has a' his uncle's Practiques at the tongue's end."

"What, sir, wad ye speak to me," exclaimed the sturdy presbyterian in excessive wrath, "about a man that has

the blood of the saints at his fingers' ends? Didna his eme die and gang to his place wi' the name of the Bluidy Mackenyie? and winna he be kend by that name sae lang as there's a Scots tongue to speak the word? If the life of the dear bairn that's under a suffering dispensation, and Jeanie's, and my ain, and a' mankind's, depended on my asking sic a slave o' Satan to speak a word for me or them, they should a' gae down the water thegither for Davie Deans!"

It was the exalted tone in which he spoke this last sentence that broke up the conversation between Butler and Jeanie, and brought them both "ben the house," to use the language of the country. Here they found the poor old man half frantic between grief, and zealous ire against Saddletree's proposed measures, his cheek inflamed, his hand clenched, and his voice raised, while the tear in his eye, and the occasional quiver of his accents, showed that his utmost efforts were inadequate to shaking off the consciousness of his misery. Butler, apprehensive of the consequences of his agitation to an aged and feeble frame, ventured to utter to him a recommendation to patience.

"I *am* patient," returned the old man sternly,—"more patient than any one who is alive to the woful backslidings of a miserable time can be patient; and in so much, that I need neither sectarians, nor sons, nor grandsons of sectarians, to instruct my grey hairs how to bear my cross."

"But, sir," continued Butler, taking no offence at the slur cast on his grandfather's faith, "we must use human means. When you call in a physician, you would not, I suppose, question him on the nature of his religious principles!"

"Wad I *no?*" answered David—"but I wad, though;

and if he didna satisfy me that he had a right sense of the right-hand and left-hand defections of the day, not a goutte of his physic should gang through my father's son."

It is a dangerous thing to trust to an illustration. Butler had done so and miscarried; but, like a gallant soldier when his musket misses fire, he stood his ground, and charged with the bayonet.—"This is too rigid an interpretation of your duty, sir. The sun shines, and the rain descends, on the just and unjust, and they are placed together in life in circumstances which frequently render intercourse between them indispensable, perhaps that the evil may have an opportunity of being converted by the good, and perhaps, also, that the righteous might, among other trials, be subjected to that of occasional converse with the profane."

"Ye're a silly callant, Reuben," answered Deans, "with your bits of argument. Can a man touch pitch and not be defiled? Or what think ye of the brave and worthy champions of the Covenant, that wadna sae muckle as hear a minister speak, be his gifts and graces as they would, that hadna witnessed against the enormities of the day? Nae lawyer shall ever speak for me and mine that hasna concurred in the testimony of the scattered, yet lovely remnant, which abode in the clifts of the rocks."

So saying, and as if fatigued, both with the arguments and presence of his guests, the old man arose, and seeming to bid them adieu with a motion of his head and hand, went to shut himself up in his sleeping apartment.

"It's thrawing his daughter's life awa," said Saddletree to Butler, "to hear him speak in that daft gate. Where will he ever get a Cameronian advocate? Or

wha ever heard of a lawyer's suffering either for ae religion or another? The lassie's life is clean flung awa."

During the latter part of this debate, Dumbiedikes had arrived at the door, dismounted, hung the pony's bridle on the usual hook, and sunk down on his ordinary settle. His eyes, with more than their usual animation, followed first one speaker then another, till he caught the melancholy sense of the whole from Saddletree's last words. He rose from his seat, stumped slowly across the room, and, coming close up to Saddletree's ear, said in a tremulous anxious voice, "Will—will siller do naething for them, Mr. Saddletree?"

"Umph!" said Saddletree, looking grave,—"siller will certainly do it in the Parliament House, if ony thing *can* do it; but where's the siller to come frae? Mr. Deans, ye see, will do naething; and though Mrs. Saddletree's their far-awa friend, and right good weel-wisher, and is weel disposed to assist, yet she wadna like to stand to be bound *singuli in solidum* to such an expensive wark. An ilka friend wad bear a share o' the burden, something might be dune—ilka ane to be liable for their ain input—I wadna like to see the case fa' through without being pled—it wadna be creditable, for a' that daft whig body says."

"I'll—I will—yes," (assuming fortitude,) "I will be answerable," said Dumbiedikes, "for a score of punds sterling."—And he was silent, staring in astonishment at finding himself capable of such unwonted resolution and excessive generosity.

"God Almighty bless ye, Laird!" said Jeanie, in a transport of gratitude.

"Ye may ca' the twenty punds thretty," said Dumbiedikes, looking bashfully away from her, and towards Saddletree.

"That will do bravely," said Saddletree, rubbing his hands; "and ye sall hae a' my skill and knowledge to gar the siller gang far—I'll tape it out weel—I ken how to gar the birkies tak short fees, and be glad o' them too—it's only garring them trow ye hae twa or three cases of importance coming on, and they'll work cheap to get custom. Let me alane for whillywhaing an advocate:—it's nae sin to get as muckle frae them for our siller as we can—after a', it's but the wind o' their mouth—it costs them naething; whereas, in my wretched occupation of a saddler, horse-milliner, and harness-maker, we are out unconscionable sums just for barkened hides and leather."

"Can I be of no use?" said Butler. "My means, alas! are only worth the black coat I wear; but I am young—I owe much to the family—Can I do nothing?"

"Ye can help to collect evidence, sir," said Saddletree; "if we could but find ony ane to say she had gien the least hint o' her condition, she wad be brought aff wi' a wat finger—Mr. Crossmyloof tell'd me sae. The crown, says he, canna be craved to prove a positive—was't a positive or a negative they couldna be ca'd to prove?—it was the tane or the tither o' them, I am sure, and it maksna muckle matter whilk. Wherefore, says he, the libel maun be redargued by the panel proving her defences. And it canna be done otherwise."

"But the fact, sir," argued Butler, "the fact that this poor girl has borne a child; surely the crown lawyers must prove that?" said Butler.

Saddletree paused a moment, while the visage of Dumbiedikes, which traversed, as if it had been placed on a pivot, from the one spokesman to the other, assumed a more blithe expression.

"Ye—ye—ye—es," said Saddletree, after some grave hesitation; "unquestionably that is a thing to be proved, as the court will more fully declare by an interlocutor of relevancy in common form; but I fancy that job's done already, for she has confessed her guilt."

"Confessed the murder?" exclaimed Jeanie, with a scream that made them all start.

"No, I didna say that," replied Bartoline. "But she confessed bearing the babe."

"And what became of it, then?" said Jeanie, "for not a word could I get from her but bitter sighs and tears."

"She says it was taken away from her by the woman in whose house it was born, and who assisted her at the time."

"And who was that woman?" said Butler, "Surely by her means the truth might be discovered.—Who was she? I will fly to her directly."

"I wish," said Dumbiedikes, "I were as young and as supple as you, and had the gift of the gab as weel."

"Who is she?" again reiterated Butler impatiently.—"Who could that woman be?"

"Ay, wha kens that but hersell," said Saddletree; "she deponed farther, and declined to answer that interrogatory."

"Then to herself will I instantly go," said Butler; "farewell, Jeanie;" then coming close up to her—"Take no *rash steps* till you hear from me. Farewell!" and he immediately left the cottage.

"I wad gang too," said the landed proprietor, in an anxious, jealous, and repining tone, "but my powny winna for the life o' me gang ony other road than just frae Dumbiedikes to this house-end, and sae straight back again."

"Ye'll do better for them," said Saddletree, as they left the house together, "by sending me the thretty punds."

"Thretty punds!" hesitated Dumbiedikes, who was now out of the reach of those eyes which had inflamed his generosity; "I only said *twenty* punds."

"Ay; but," said Saddletree, "that was under protestation to add and eik; and so ye craved leave to amend your libel, and made it thretty."

"Did I? I dinna mind that I did," answered Dumbiedikes. "But whatever I said I'll stand to." Then bestriding his steed with some difficulty, he added, "Dinna ye think poor Jeanie's een wi' the tears in them glanced like lamour beads, Mr. Saddletree?"

"I kenna muckle about women's een, Laird," replied the insensible Bartoline; "and I care just as little. I wuss I were as weel free o' their tongues; though few wives," he added, recollecting the necessity of keeping up his character for domestic rule, "are under better command than mine, Laird. I allow neither perduellion nor lese-majesty against my sovereign authority."

The Laird saw nothing so important in this observation as to call for a rejoinder, and when they had exchanged a mute salutation, they parted in peace upon their different errands.

CHAPTER XIII.

I'll warrant that fellow from drowning, were the ship no stronger than a nut-shell. THE TEMPEST.

BUTLER felt neither fatigue nor want of refreshment, although, from the mode in which he had spent the night, he might well have been overcome with either. But in the earnestness with which he hastened to the assistance of the sister of Jeanie Deans, he forgot both.

In his first progress he walked with so rapid a pace as almost approached to running, when he was surprised to hear behind him a call upon his name, contending with an asthmatic cough, and half-drowned amid the resounding trot of a Highland pony. He looked behind, and saw the Laird of Dumbiedikes making after him with what speed he might, for it happened fortunately for the Laird's purpose of conversing with Butler, that his own road homeward was for about two hundred yards the same with that which led by the nearest way to the city. Butler stopped when he heard himself thus summoned, internally wishing no good to the panting equestrian who thus retarded his journey.

"Uh! uh! uh!" ejaculated Dumbiedikes, as he checked the hobbling pace of the pony by our friend Butler. "Uh! uh! it's a hard-set willyard beast this o' mine." He had in fact just overtaken the object of his chase at the very point beyond which it would have been absolutely

impossible for him to have continued the pursuit, since there Butler's road parted from that leading to Dumbiedikes, and no means of influence or compulsion which the rider could possibly have used towards his Bucephalus could have induced the Celtic obstinacy of Rory Bean (such was the pony's name) to have diverged a yard from the path that conducted him to his own paddock.

Even when he had recovered from the shortness of breath occasioned by a trot much more rapid than Rory or he were accustomed to, the high purpose of Dumbiedikes seemed to stick as it were in his throat, and impede his utterance, so that Butler stood for nearly three minutes ere he could utter a syllable; and when he did find voice, it was only to say, after one or two efforts, "Uh! uh! uhm! I say, Mr.— Mr. Butler, it's a braw day for the har'st."

"Fine day, indeed," said Butler. "I wish you good morning, sir."

"Stay—stay a bit," rejoined Dumbiedikes; "that was no what I had gotten to say."

"Then, pray, be quick, and let me have your commands," rejoined Butler; "I crave your pardon, but I am in haste, and *Tempus nemini*—you know the proverb."

Dumbiedikes did not know the proverb, nor did he even take the trouble to endeavour to look as if he did, as others in his place might have done. He was concentrating all his intellects for one grand proposition, and could not afford any detachment to defend outposts. "I say, Mr. Butler," said he, "ken ye if Mr. Saddletree's a great lawyer?"

"I have no person's word for it but his own," answered Butler, dryly; "but undoubtedly he best understands his own qualities."

"Umph!" replied the taciturn Dumbiedikes, in a tone which seemed to say, "Mr. Butler, I take your meaning." "In that case," he pursued, "I'll employ my ain man o' business, Nichil Novit, (auld Nichil's son, and amaist as gleg as his father,) to agent Effie's plea."

And having thus displayed more sagacity than Butler expected from him, he courteously touched his gold-laced cocked hat, and by a punch on the ribs, conveyed to Rory Bean, it was his rider's pleasure that he should forthwith proceed homewards; a hint which the quadruped obeyed with that degree of alacrity with which men and animals interpret and obey suggestions that entirely correspond with their own inclinations.

Butler resumed his pace, not without a momentary revival of that jealousy which the honest Laird's attention to the family of Deans had at different times excited in his bosom. But he was too generous long to nurse any feeling which was allied to selfishness, "He is," said Butler to himself, "rich in what I want; why should I feel vexed that he has the heart to dedicate some of his pelf to render them services, which I can only form the empty wish of executing? In God's name, let us each do what we can. May she be but happy!—saved from the misery and disgrace that seems impending—Let me but find the means of preventing the fearful experiment of this evening, and farewell to other thoughts, though my heart-strings break in parting with them!"

He redoubled his pace, and soon stood before the door of the Tolbooth, or rather before the entrance where the door had formerly been placed. His interview with the mysterious stranger, the message to Jeanie, his agitating conversation with her on the subject of breaking off their mutual engagements, and the interesting scene with old

Deans, had so entirely occupied his mind as to drown even recollection of the tragical event which he had witnessed the preceding evening. His attention was not recalled to it by the groups who stood scattered on the street in conversation, which they hushed when strangers approached, or by the bustling search of the agents of the city police, supported by small parties of the military, or by the appearance of the Guard-House, before which were treble sentinels, or, finally, by the subdued and intimidated looks of the lower orders of society, who, conscious that they were liable to suspicion, if they were not guilty of accession to a riot likely to be strictly inquired into, glided about with an humble and dismayed aspect, like men whose spirits being exhausted in the revel and the dangers of a desperate debauch over night, are nerve-shaken, timorous, and unenterprising on the succeeding day.

None of these symptoms of alarm and trepidation struck Butler, whose mind was occupied with a different, and to him still more interesting subject, until he stood before the entrance to the prison, and saw it defended by a double file of grenadiers, instead of bolts and bars. Their "Stand, stand!" the blackened appearance of the doorless gateway, and the winding staircase and apartments of the Tolbooth, now open to the public eye, recalled the whole proceedings of the eventful night. Upon his requesting to speak with Effie Deans, the same tall, thin, silver-haired turnkey, whom he had seen on the preceding evening, made his appearance.

"I think," he replied to Butler's request of admission, with true Scottish indirectness, "ye will be the same lad that was for in to see her yestreen?"

Butler admitted he was the same person.

"And I am thinking," pursued the turnkey, "that ye speered at me when we locked up, and if we locked up earlier on account of Porteous?"

"Very likely I might make some such observation," said Butler; "but the question now is, can I see Effie Deans?"

"I dinna ken—gang in by, and up the turnpike stair, and turn till the ward on the left hand."

The old man followed close behind him, with his keys in his hand, not forgetting even that huge one which had once opened and shut the outward gate of his dominions, though at present it was but an idle and useless burden. No sooner had Butler entered the room to which he was directed, than the experienced hand of the warder selected the proper key, and locked it on the outside. At first Butler conceived this manœuvre was only an effect of the man's habitual and official caution and jealousy. But when he heard the hoarse command, "Turn out the guard!" and immediately afterwards heard the clash of a sentinel's arms, as he was posted at the door of his apartment, he again called out to the turnkey, "My good friend, I have business of some consequence with Effie Deans, and I beg to see her as soon as possible." No answer was returned. "If it be against your rules to admit me," repeated Butler, in a still louder tone, "to see the prisoner, I beg you will tell me so, and let me go about my business.—*Fugit irrevocabile tempus!*" muttered he to himself.

"If ye had business to do, ye suld hae dune it before ye cam here," replied the man of keys from the outside; "ye'll find it's easier wunnin in than wunnin out here—there's sma' likelihood o' another Porteous-mob coming to rabble us again—the law will haud her ain now, neighbour, and that ye'll find to your cost."

"What do you mean by that, sir?" retorted Butler. "You must mistake me for some other person. My name is Reuben Butler, preacher of the gospel."

"I ken that weel eneugh," said the turnkey.

"Well, then, if you know me, I have a right to know from you in return, what warrant you have for detaining me; that, I know, is the right of every British subject."

"Warrant!" said the jailor,—"the warrant's awa to Libberton wi' twa sheriff officers seeking ye. If ye had staid at hame, as honest men should do, ye wad hae seen the warrant; but if ye come to be incarcerated of your ain accord, wha can help it, my jo?"

"So I cannot see Effie Deans, then?" said Butler; "and you are determined not to let me out?"

"Troth will I no, neighbour," answered the old man, doggedly; "as for Effie Deans, ye'll hae eneugh ado to mind your ain business, and let her mind hers; and for letting you out, that maun be as the magistrate will determine. And fare ye weel for a bit, for I maun see Deacon Sawyers put on ane or twa o' the doors that your quiet folk broke down yesternight, Mr. Butler."

There was something in this exquisitely provoking, but there was also something darkly alarming. To be imprisoned, even on a false accusation, has something in it disagreeable and menacing even to men of more constitutional courage than Butler had to boast; for although he had much of that resolution which arises from a sense of duty and an honourable desire to discharge it, yet, as his imagination was lively, and his frame of body delicate, he was far from possessing that cool insensibility to danger which is the happy portion of men of stronger health, more firm nerves, and less acute sensibility. An indistinct idea of peril, which he could neither understand

nor ward off, seemed to float before his eyes. He tried to think over the events of the preceding night, in hopes of discovering some means of explaining or vindicating his conduct for appearing among the mob, since it immediately occurred to him that his detention must be founded on that circumstance. And it was with anxiety that he found he could not recollect to have been under the observation of any disinterested witness in the attempts that he made from time to time to expostulate with the rioters, and to prevail on them to release him. The distress of Deans's family, the dangerous rendezvous which Jeanie had formed, and which he could not now hope to interrupt, had also their share in his unpleasant reflections. Yet impatient as he was to receive an *éclaircissement* upon the cause of his confinement, and if possible to obtain his liberty, he was affected with a trepidation which seemed no good omen; when, after remaining an hour in this solitary apartment, he received a summons to attend the sitting magistrate. He was conducted from prison strongly guarded by a party of soldiers, with a parade of precaution, that, however ill-timed and unnecessary, is generally displayed *after* an event, which such precaution, if used in time, might have prevented.

He was introduced into the Council Chamber, as the place is called where the magistrates hold their sittings, and which was then at a little distance from the prison. One or two of the senators of the city were present, and seemed about to engage in the examination of an individual who was brought forward to the foot of the long green-covered table round which the council usually assembled. "Is that the preacher?" said one of the magistrates, as the city officer in attendance introduced Butler. The man answered in the affirmative. "Let

him sit down there for an instant; we will finish this man's business very briefly."

"Shall we remove Mr. Butler?" queried the assistant.

"It is not necessary—Let him remain where he is."

Butler accordingly sate down on a bench at the bottom of the apartment, attended by one of his keepers.

It was a large room, partially and imperfectly lighted; but by chance, or the skill of the architect, who might happen to remember the advantage which might occasionally be derived from such an arrangement, one window was so placed as to throw a strong light at the foot of the table at which prisoners were usually posted for examination, while the upper end, where the examinants sate, was thrown into shadow. Butler's eyes were instantly fixed on the person whose examination was at present proceeding, in the idea that he might recognise some one of the conspirators of the former night. But though the features of this man were sufficiently marked and striking, he could not recollect that he had ever seen them before.

The complexion of this person was dark, and his age somewhat advanced. He wore his own hair, combed smooth down, and cut very short. It was jet black, slightly curled by nature, and already mottled with grey. The man's face expressed rather knavery than vice, and a disposition to sharpness, cunning, and roguery, more than the traces of stormy and indulged passions. His sharp, quick black eyes, acute features, ready sardonic smile, promptitude, and effrontery, gave him altogether what is called among the vulgar, a *knowing* look, which generally implies a tendency to knavery. At a fair or market, you could not for a moment have doubted that he was a horse-jockey, intimate with all the tricks of his

trade; yet, had you met him on a moor, you would not have apprehended any violence from him. His dress was also that of a horse-dealer—a close-buttoned jockey-coat, or wrap-rascal, as it was then termed, with huge metal buttons, coarse blue upper stockings, called boot-hose, because supplying the place of boots, and a slouched hat. He only wanted a loaded whip under his arm and a spur upon one heel, to complete the dress of the character he seemed to represent.

"Your name is James Ratcliffe?" said the magistrate.

"Ay—always wi' your honour's leave."

"That is to say, you could find me another name if I did not like that one?"

"Twenty to pick and choose upon, always with your honour's leave," resumed the respondent.

"But James Ratcliffe is your present name?—what is your trade?"

"I canna just say, distinctly, that I have what ye wad ca' preceesely a trade."

"But," repeated the magistrate, "what are your means of living—your occupation?"

"Hout tout—your honour, wi' your leave, kens that as weel as I do," replied the examined.

"No matter, I want to hear you describe it," said the examinant.

"Me describe!—and to your honour!—far be it from Jemmie Ratcliffe," responded the prisoner.

"Come, sir, no trifling—I insist on an answer."

"Weel, sir," replied the declarant, "I maun make a clean breast, for ye see, wi' your leave, I am looking for favour—Describe my occupation, quo' ye?—troth it will be ill to do that, in a feasible way, in a place like this—but what is't again that the aught command says?"

"Thou shalt not steal," answered the magistrate.

"Are you sure o' that?" replied the accused.—"Troth, then, my occupation and that command are sair at odds, for I read it, thou *shalt* steal; and that makes an unco difference, though there's but a wee bit word left out."

"To cut the matter short, Ratcliffe, you have been a most notorious thief," said the examinant.

"I believe Highlands and Lowlands ken that, sir, forby England and Holland," replied Ratcliffe, with the greatest composure and effrontery.

"And what d'ye think the end of your calling will be?" said the magistrate.

"I could have gien a braw guess yesterday—but I dinna ken sae weel the day," answered the prisoner.

"And what would you have said would have been your end, had you been asked the question yesterday?"

"Just the gallows," replied Ratcliffe, with the same composure.

"You are a daring rascal, sir," said the magistrate; "and how dare you hope times are mended with you to-day?"

"Dear, your honour," answered Ratcliffe, "there's muckle difference between lying in prison under sentence of death, and staying there of ane's ain proper accord, when it would have cost a man naething to get up and rin awa—what was to hinder me from stepping out quietly, when the rabble walked awa wi' Jock Porteous yestreen?—and does your honour really think I staid on purpose to be hanged?"

"I do not know what you may have proposed to yourself; but I know," said the magistrate, "what the law proposes for you, and that is, to hang you next Wednesday eight days."

"Na, na, your honour," said Ratcliffe firmly, "craving your honour's pardon, I'll ne'er believe that till I see it. I have kend the Law this mony a year, and mony a thrawart job I hae had wi' her first and last; but the auld jaud is no sae ill as that comes to—I aye fand her bark waur than her bite."

"And if you do not expect the gallows, to which you are condemned, (for the fourth time to my knowledge,) may I beg the favour to know," said the magistrate, "what it is you *do* expect, in consideration of your not having taken your flight with the rest of the jail-birds, which I will admit was a line of conduct little to have been expected?"

"I would never have thought for a moment of staying in that auld gousty toom house," answered Ratcliffe, "but that use and wont had just gien me a fancy to the place, and I'm just expecting a bit post in't."

"A post!" exclaimed the magistrate; "a whipping-post, I suppose, you mean?"

"Na, na, sir, I had nae thoughts o' a whuppin-post. After having been four times doomed to hang by the neck till I was dead, I think I am far beyond being whuppit."

"Then, in Heaven's name, what *did* you expect?"

"Just the post of under-turnkey, for I understand there's a vacancy," said the prisoner; "I wadna think of asking the lockman's* place ower his head; it wadna suit

* *Lockman*, so called from the small quantity of meal (Scottice *lock*) which he was entitled to take out of every boll exposed to market in the city. In Edinburgh, the duty has been very long commuted; but in Dumfries, the finisher of the law still exercises, or did lately exercise, his privilege, the quantity taken being regulated by a small iron ladle, which he uses as the measure of his perquisite. The expression *lock*, for a small quantity of any readily divisible dry sub-

me sae weel as ither folk, for I never could put a beast out o' the way, much less deal wi' a man."

"That's something in your favour," said the magistrate, making exactly the inference to which Ratcliffe was desirous to lead him, though he mantled his art with an affectation of oddity. "But," continued the magistrate, "how do you think you can be trusted with a charge in the prison, when you have broken at your own hand half the jails in Scotland?"

"Wi' your honour's leave," said Ratcliffe, "if I kend sae weel how to wun out mysell, it's like I wad be a' the better a hand to keep other folk in. I think they wad ken their business weel that held me in when I wanted to be out, or wan out when I wanted to haud them in."

The remark seemed to strike the magistrate, but he made no further immediate observation, only desired Ratcliffe to be removed.

When this daring and yet sly freebooter was out of hearing, the magistrate asked the city-clerk, "what he thought of the fellow's assurance?"

"It's no for me to say, sir," replied the clerk; "but if James Ratcliffe be inclined to turn to good, there is not a man e'er came within the ports of the burgh could be of sae muckle use to the Good Town in the thief and lock-up line of business. I'll speak to Mr. Sharpitlaw about him."

Upon Ratcliffe's retreat, Butler was placed at the table for examination. The magistrate conducted his inquiry civilly, but yet in a manner which gave him to understand that he laboured under strong suspicion. With a frank-

stance, as corn, meal, flax, or the like, is still preserved, not only popularly, but in a legal description, as the *lock* and *gowpen*, or small quantity and handful, payable in thirlage cases, as in-town multure.

ness which at once became his calling and character, Butler avowed his involuntary presence at the murder of Porteous, and, at the request of the magistrate, entered into a minute detail of the circumstances which attended that unhappy affair. All the particulars, such as we have narrated, were taken minutely down by the clerk from Butler's dictation.

When the narrative was concluded, the cross-examination commenced, which it is a painful task even for the most candid witness to undergo, since a story, especially if connected with agitating and alarming incidents, can scarce be so clearly and distinctly told, but that some ambiguity and doubt may be thrown upon it by a string of successive and minute interrogatories.

The magistrate commenced by observing, that Butler had said his object was to return to the village of Libberton, but that he was interrupted by the mob at the West Port. "Is the West Port your usual way of leaving town when you go to Libberton?" said the magistrate, with a sneer.

"No, certainly," answered Butler, with the haste of a man anxious to vindicate the accuracy of his evidence; "but I chanced to be nearer that port than any other, and the hour of shutting the gates was on the point of striking."

"That was unlucky," said the magistrate dryly. "Pray, being, as you say, under coercion and fear of the lawless multitude, and compelled to accompany them through scenes disagreeable to all men of humanity, and more especially irreconcilable to the profession of a minister, did you not attempt to struggle, resist, or escape from their violence?"

Butler replied, "that their numbers prevented him

from attempting resistance, and their vigilance from effecting his escape."

"That was unlucky," again repeated the magistrate, in the same dry inacquiescent tone of voice and manner. He proceeded with decency and politeness, but with a stiffness which argued his continued suspicion, to ask many questions concerning the behaviour of the mob, the manners and dress of the ringleaders; and when he conceived that the caution of Butler, if he was deceiving him, must be lulled asleep, the magistrate suddenly and artfully returned to former parts of his declaration, and required a new recapitulation of the circumstances, to the minutest and most trivial point, which attended each part of the melancholy scene. No confusion or contradiction, however, occurred, that could countenance the suspicion which he seemed to have adopted against Butler. At length the train of his interrogatories reached Madge Wildfire, at whose name the magistrate and town-clerk exchanged significant glances. If the fate of the Good Town had depended on her careful magistrate's knowing the features and dress of this personage, his inquiries could not have been more particular. But Butler could say almost nothing of this person's features, which were disguised apparently with red paint and soot, like an Indian going to battle, besides the projecting shade of a curch or coif, which muffled the hair of the supposed female. He declared that he thought he could not know this Madge Wildfire, if placed before him in a different dress, but that he believed he might recognise her voice.

The magistrate requested him again to state by what gate he left the city.

"By the Cowgate Port," replied Butler.

"Was that the nearest road to Libberton?"

"No," answered Butler, with embarrassment; "but it was the nearest way to extricate myself from the mob."

The clerk and magistrate again exchanged glances.

"Is the Cowgate Port a nearer way to Libberton from the Grassmarket than Bristo Port?"

"No," replied Butler; "but I had to visit a friend."

"Indeed!" said the interrogator—"You were in a hurry to tell the sight you had witnessed, I suppose."

"Indeed I was not," replied Butler; "nor did I speak on the subject the whole time I was at St. Leonard's Crags."

"Which road did you take to St. Leonard's Crags?"

"By the foot of Salisbury Crags," was the reply.

"Indeed! you seem partial to circuitous routes," again said the magistrate. "Whom did you see after you left the city?"

One by one he obtained a description of every one of the groups who had passed Butler, as already noticed, their number, demeanour, and appearance; and, at length, came to the circumstance of the mysterious stranger in the King's Park. On this subject Butler would fain have remained silent. But the magistrate had no sooner got a slight hint concerning the incident, than he seemed bent to possess himself of the most minute particulars.

"Look ye, Mr. Butler," said he, "you are a young man, and bear an excellent character; so much I will myself testify in your favour. But we are aware there has been, at times, a sort of bastard and fiery zeal in some of your order, and those, men irreproachable in other points, which has led them into doing and coun-

tenancing great irregularities, by which the peace of the country is liable to be shaken.—I will deal plainly with you. I am not at all satisfied with this story, of your setting out again and again to seek your dwelling by two several roads, which were both circuitous. And, to be frank, no one whom we have examined on this unhappy affair could trace in your appearance any thing like your acting under compulsion. Moreover, the waiters at the Cowgate Port observed something like the trepidation of guilt in your conduct, and declare that you were the first to command them to open the gate, in a tone of authority, as if still presiding over the guards and outposts of the rabble, who had besieged them the whole night."

"God forgive them!" said Butler; "I only asked free passage for myself; they must have much misunderstood, if they did not wilfully misrepresent me."

"Well, Mr. Butler," resumed the magistrate, "I am inclined to judge the best and hope the best, as I am sure I wish the best; but you must be frank with me, if you wish to secure my good opinion, and lessen the risk of inconvenience to yourself. You have allowed you saw another individual in your passage through the King's Park to Saint Leonard's Crags—I must know every word which passed betwixt you."

Thus closely pressed, Butler, who had no reason for concealing what passed at that meeting, unless because Jeanie Deans was concerned in it, thought it best to tell the whole truth from beginning to end.

"Do you suppose," said the magistrate, pausing, "that the young woman will accept an invitation so mysterious?"

"I fear she will," replied Butler.

"Why do you use the word *fear* it?" said the magistrate.

"Because I am apprehensive for her safety, in meeting at such a time and place, one who had something of the manner of a desperado, and whose message was of a character so inexplicable."

"Her safety shall be cared for," said the magistrate. "Mr. Butler, I am concerned I cannot immediately discharge you from confinement, but I hope you will not be long detained.—Remove Mr. Butler, and let him be provided with decent accommodation in all respects."

He was conducted back to the prison accordingly; but, in the food offered to him, as well as in the apartment in which he was lodged, the recommendation of the magistrate was strictly attended to.

CHAPTER XIV.

Dark and eerie was the night,
And lonely was the way,
As Janet, wi' her green mantell,
To Miles' Cross she did gae.

OLD BALLAD.

LEAVING Butler to all the uncomfortable thoughts attached to his new situation, among which the most predominant was his feeling that he was, by his confinement, deprived of all possibility of assisting the family at St. Leonard's in their greatest need, we return to Jeanie Deans, who had seen him depart, without an opportunity of farther explanation, in all that agony of mind with which the female heart bids adieu to the complicated sensations so well described by Coleridge,—

Hopes, and fears that kindle hope,
An undistinguishable throng;
And gentle wishes long subdued—
Subdued and cherished long.

It is not the firmest heart (and Jeanie, under her russet rokelay, had one that would not have disgraced Cato's daughter) that can most easily bid adieu to these soft and mingled emotions. She wept for a few minutes bitterly, and without attempting to refrain from this indulgence of passion. But a moment's recollection induced her to check herself for a grief selfish and proper to her own

affections, while her father and sister were plunged into such deep and irretrievable affliction. She drew from her pocket the letter which had been that morning flung into her apartment through an open window, and the contents of which were as singular as the expression was violent and energetic. "If she would save a human being from the most damning guilt, and all its desperate consequences,—if she desired the life and honour of her sister to be saved from the bloody fangs of an unjust law,—if she desired not to forfeit peace of mind here, and happiness hereafter," such was the frantic style of the conjuration, "she was entreated to give a sure, secret, and solitary meeting to the writer. She alone could rescue him," so ran the letter, "and he only could rescue her." He was in such circumstances, the billet farther informed her, that an attempt to bring any witness of their conference, or even to mention to her father, or any other person whatsoever, the letter which requested it, would inevitably prevent its taking place, and ensure the destruction of her sister. The letter concluded with incoherent but violent protestations, that in obeying this summons she had nothing to fear personally.

The message delivered to her by Butler from the stranger in the Park tallied exactly with the contents of the letter, but assigned a later hour and a different place of meeting. Apparently the writer of the letter had been compelled to let Butler so far into his confidence, for the sake of announcing this change to Jeanie. She was more than once on the point of producing the billet, in vindication of herself from her lover's half-hinted suspicions. But there is something in stooping to justification which the pride of innocence does not at all times willingly submit to; besides that the threats contained in

the letter, in case of her betraying the secret, hung heavy on her heart. It is probable, however, that had they remained longer together, she might have taken the resolution to submit the whole matter to Butler, and be guided by him as to the line of conduct which she should adopt. And when, by the sudden interruption of their conference, she lost the opportunity of doing so, she felt as if she had been unjust to a friend, whose advice might have been highly useful, and whose attachment deserved her full and unreserved confidence.

To have recourse to her father upon this occasion, she considered as highly imprudent. There was no possibility of conjecturing in what light the matter might strike old David, whose manner of acting and thinking in extraordinary circumstances depended upon feelings and principles peculiar to himself, the operation of which could not be calculated upon even by those best acquainted with him. To have requested some female friend to have accompanied her to the place of rendezvous, would perhaps have been the most eligible expedient; but the threats of the writer, that betraying his secret would prevent their meeting (on which her sister's safety was said to depend) from taking place at all, would have deterred her from making such a confidence, even had she known a person in whom she thought it could with safety have been reposed. But she knew none such. Their acquaintance with the cottagers in the vicinity had been very slight, and limited to trifling acts of good neighbourhood. Jeanie knew little of them, and what she knew did not greatly incline her to trust any of them. They were of the order of loquacious good-humoured gossips usually found in their situation of life; and their conversation had at all times few charms for a young

woman, to whom nature and the circumstance of a solitary life had given a depth of thought and force of character superior to the frivolous part of her sex, whether in high or low degree.

Left alone and separated from all earthly counsel, she had recourse to a friend and adviser, whose ear is open to the cry of the poorest and most afflicted of his people. She knelt, and prayed with fervent sincerity, that God would please to direct her what course to follow in her arduous and distressing situation. It was the belief of the time and sect to which she belonged, that special answers to prayer, differing little in their character from divine inspiration, were, as they expressed it, "borne in upon their minds" in answer to their earnest petitions in a crisis of difficulty. Without entering into an abstruse point of divinity, one thing is plain;—namely, that the person who lays open his doubts and distresses in prayer, with feeling and sincerity, must necessarily, in the act of doing so, purify his mind from the dross of worldly passions and interests, and bring it into that state, when the resolutions adopted are likely to be selected rather from a sense of duty, than from any inferior motive. Jeanie arose from her devotions, with her heart fortified to endure affliction, and encouraged to face difficulties.

"I will meet this unhappy man," she said to herself—"unhappy he must be, since I doubt he has been the cause of poor Effie's misfortune—but I will meet him, be it for good or ill. My mind shall never cast up to me, that, for fear of what might be said or done to myself, I left that undone that might even yet be the rescue of her."

With a mind greatly composed since the adoption of this resolution, she went to attend her father. The old

man, firm in the principles of his youth, did not, in outward appearance at least, permit a thought of his family distress to interfere with the stoical reserve of his countenance and manners. He even chid his daughter for having neglected, in the distress of the morning, some trifling domestic duties which fell under her department.

"Why, what meaneth this, Jeanie?" said the old man —"The brown four-year-auld's milk is not seiled yet, nor the bowies put up on the bink. If ye neglect your warldly duties in the day of affliction, what confidence have I that ye mind the greater matters that concern salvation? God knows, our bowies, and our pipkins, and our draps o' milk, and our bits o' bread, are nearer and dearer to us than the bread of life."

Jeanie, not unpleased to hear her father's thoughts thus expand themselves beyond the sphere of his immediate distress, obeyed him, and proceeded to put her household matters in order; while old David moved from place to place about his ordinary employments, scarce showing, unless by a nervous impatience at remaining long stationary, an occasional convulsive sigh, or twinkle of the eyelid, that he was labouring under the yoke of such bitter affliction.

The hour of noon came on, and the father and child sat down to their homely repast. In his petition for a blessing on the meal, the poor old man added to his supplication, a prayer that the bread eaten in sadness of heart, and the bitter waters of Marah, might be made as nourishing as those which had been poured forth from a full cup and a plentiful basket and store; and having concluded his benediction, and resumed the bonnet which he had laid "reverently aside," he proceeded to exhort his daughter to eat, not by example indeed, but at least by precept.

"The man after God's own heart," he said, "washed and anointed himself, and did eat bread, in order to express his submission under a dispensation of suffering, and it did not become a Christian man or woman so to cling to creature-comforts of wife or bairns,"—(here the words became too great, as it were, for his utterance,)—"as to forget the first duty,—submission to the Divine will."

To add force to his precept, he took a morsel on his plate, but nature proved too strong even for the powerful feelings with which he endeavoured to bridle it. Ashamed of his weakness, he started up, and ran out of the house, with haste very unlike the deliberation of his usual movements. In less than five minutes he returned, having successfully struggled to recover his ordinary composure of mind and countenance, and affected to colour over his late retreat, by muttering that he thought he heard the "young staig loose in the byre."

He did not again trust himself with the subject of his former conversation, and his daughter was glad to see that he seemed to avoid farther discourse on that agitating topic. The hours glided on, as on they must and do pass, whether winged with joy or laden with affliction. The sun set beyond the dusky eminence of the Castle, and the screen of western hills and the close of evening summoned David Deans and his daughter to the family duty of the night. It came bitterly upon Jeanie's recollection, how often, when the hour of worship approached, she used to watch the lengthening shadows, and look out from the door of the house, to see if she could spy her sister's return homeward. Alas! this idle and thoughtless waste of time, to what evils had it not finally led? and was she altogether guiltless, who, noticing Effie's

turn to idle and light society, had not called in her father's authority to restrain her?—But I acted for the best, she again reflected, and who could have expected such a growth of evil, from one grain of human leaven, in a disposition so kind, and candid, and generous?

As they sate down to the "exercise," as it is called, a chair happened accidentally to stand in the place which Effie usually occupied. David Deans saw his daughter's eyes swim in tears as they were directed towards this object, and pushed it aside, with a gesture of some impatience, as if desirous to destroy every memorial of earthly interest when about to address the Deity. The portion of Scripture was read, the psalm was sung, the prayer was made; and it was remarkable that, in discharging these duties, the old man avoided all passages and expressions, of which Scripture affords so many, that might be considered as applicable to his own domestic misfortune. In doing so it was perhaps his intention to spare the feelings of his daughter, as well as to maintain, in outward show at least, that stoical appearance of patient endurance of all the evil which earth could bring, which was in his opinion essential to the character of one who rated all earthly things at their just estimate of nothingness. When he had finished the duty of the evening, he came up to his daughter, wished her good-night, and, having done so, continued to hold her by the hands for half a minute; then drawing her towards him, kissed her forehead, and ejaculated, "The God of Israel bless you, even with the blessings of the promise, my dear bairn!"

It was not either in the nature or habits of David Deans to seem a fond father; nor was he often observed to experience, or at least to evince, that fulness of the heart which seeks to expand itself in tender expressions

or caresses even to those who were dearest to him. On the contrary, he used to censure this as a degree of weakness in several of his neighbours, and particularly in poor widow Butler. It followed, however, from the rarity of such emotions in this self-denied and reserved man, that his children attached to occasional marks of his affection and approbation a degree of high interest and solemnity; well considering them as evidences of feelings which were only expressed when they became too intense for suppression or concealment.

With deep emotion, therefore, did he bestow, and his daughter receive, this benediction and paternal caress. "And you, my dear father," exclaimed Jeanie, when the door had closed upon the venerable old man, "may you have purchased and promised blessings multiplied upon you—upon *you*, who walk in this world as though you were not of the world, and hold all that it can give or take away but as the *midges* that the sun-blink brings out, and the evening wind sweeps away!"

She now made preparation for her night-walk. Her father slept in another part of the dwelling, and, regular in all his habits, seldom or never left his apartment when he had betaken himself to it for the evening. It was therefore easy for her to leave the house unobserved, so soon as the time approached at which she was to keep her appointment. But the step she was about to take had difficulties and terrors in her own eyes, though she had no reason to apprehend her father's interference. Her life had been spent in the quiet, uniform, and regular seclusion of their peaceful and monotonous household. The very hour which some damsels of the present day, as well of her own as of higher degree, would consider as the natural period of commencing an evening of pleasure,

brought, in her opinion, awe and solemnity in it; and the resolution she had taken had a strange, daring, and adventurous character, to which she could hardly reconcile herself when the moment approached for putting it into execution. Her hands trembled as she snooded her fair hair beneath the riband, then the only ornament or cover which young unmarried women wore on their head, and as she adjusted the scarlet tartan screen or muffler made of plaid, which the Scottish women wore, much in the fashion of the black silk veils still a part of female dress in the Netherlands. A sense of impropriety as well as of danger pressed upon her, as she lifted the latch of her paternal mansion to leave it on so wild an expedition, and at so late an hour, unprotected, and without the knowledge of her natural guardian.

When she found herself abroad and in the open fields, additional subjects of apprehension crowded upon her. The dim cliffs and scattered rocks, interspersed with greensward, through which she had to pass to the place of appointment, as they glimmered before her in a clear autumn night, recalled to her memory many a deed of violence, which, according to tradition, had been done and suffered among them. In earlier days they had been the haunt of robbers and assassins, the memory of whose crimes are preserved in the various edicts which the council of the city, and even the parliament of Scotland, had passed for dispersing their bands, and ensuring safety to the lieges, so near the precincts of the city. The names of these criminals, and of their atrocities, were still remembered in traditions of the scattered cottages and the neighbouring suburb. In latter times, as we have already noticed, the sequestered and broken character of the ground rendered it a fit theatre for duels and

rencontres among the fiery youth of the period. Two or three of these incidents, all sanguinary, and one of them fatal in its termination, had happened since Deans came to live at St. Leonard's. His daughter's recollections, therefore, were of blood and horror as she pursued the small scarce-tracked solitary path, every step of which conveyed her to a greater distance from help, and deeper into the ominous seclusion of these unhallowed precincts.

As the moon began to peer forth on the scene with a doubtful, flitting, and solemn light, Jeanie's apprehensions took another turn, too peculiar to her rank and country to remain unnoticed. But to trace its origin will require another chapter.

CHAPTER XV.

—— The spirit I have seen
May be the devil. And the devil has power
To assume a pleasing shape.

HAMLET.

WITCHCRAFT and demonology, as we have already had occasion to remark, were at this period believed in by almost all ranks, but more especially among the stricter classes of presbyterians, whose government, when their party were at the head of the state, had been much sullied by their eagerness to inquire into, and persecute these imaginary crimes. Now, in this point of view, also, Saint Leonard's Crags and the adjacent Chase were a dreaded and ill-reputed district. Not only had witches held their meetings there, but even of very late years the enthusiast or impostor, mentioned in the Pandæmonium of Richard Bovet, Gentleman,* had, among the recesses of these

* This legend was in former editions inaccurately said to exist in Baxter's "World of Spirits;" but is, in fact, to be found, in "Pandæmonium, or the Devil's Cloyster; being a further blow to Modern Sadduceism," by Richard Bovet, Gentleman, 12mo, 1684. The work is inscribed to Dr. Henry More. The story is entitled, "A remarkable passage of one named the Fairy Boy of Leith, in Scotland, given me by my worthy friend, Captain George Burton, and attested under his hand:" and is as follows:—

"About fifteen years since, having business that detained me for some time in Leith, which is near Edenborough, in the kingdom of Scotland, I often met some of my acquaintance at a certain house

romantic cliffs, found his way into the hidden retreats where the fairies revel in the bowels of the earth.

there, where we used to drink a glass of wine for our refection. The woman which kept the house, was of honest reputation amongst the neighbours, which made me give the more attention to what she told me one day about a Fairy Boy (as they called him) who lived about that town. She had given me so strange an account of him, that I desired her I might see him the first opportunity, which she promised; and not long after, passing that way, she told me there was the Fairy Boy but a little before I came by; and casting her eye into the street, said, 'Look you, sir, yonder he is at play with those other boys,' and designing him to me, I went, and by smooth words, and a piece of money, got him to come into the house with me; where, in the presence of divers people, I demanded of him several astrological questions, which he answered with great subtilty, and through all his discourse carried it with a cunning much beyond his years, which seemed not to exceed ten or eleven. He seemed to make a motion like drumming upon the table with his fingers, upon which I asked him, whether he could beat a drum, to which he replied, 'Yes, sir, as well as any man in Scotland; for every Thursday night I beat all points to a sort of people that use to meet under yon hill,' (pointing to the great hill between Edenborough and Leith.) 'How boy,' quoth I; 'what company have you there?'—'There are, sir,' said he, 'a great company both of men and women, and they are entertained with many sorts of music besides my drum; they have, besides, plenty variety of meats and wine; and many times we are carried into France or Holland in a night, and return again; and whilst we are there, we enjoy all the pleasures the country doth afford.' I demanded of him, how they got under that hill? To which he replied, 'that there were a great pair of gates that opened to them, though they were invisible to others, and that within there were brave large rooms, as well accommodated as most in Scotland.' I then asked him, how I should know what he said to be true? upon which he told me he would read my fortune, saying I should have two wives, and that he saw the forms of them sitting on my shoulders; that both would be very handsome women.

"As he was thus speaking, a woman of the neighbourhood, coming into the room, demanded of him what her fortune should be? He told her that she had two bastards before she was married; which put her in such a rage, that she desired not to hear the rest. The woman of the house told me that all the people in Scotland could not keep him

With all these legends Jeanie Deans was too well acquainted to escape that strong impression which they usually make on the imagination. Indeed, relations of this ghostly kind had been familiar to her from her infancy, for they were the only relief which her father's conversation afforded from controversial argument, or the gloomy history of the strivings and testimonies, escapes, captures, tortures, and executions of those martyrs of the Covenant, with whom it was his chiefest boast to say he had been acquainted. In the recesses of mountains, in caverns, and in morasses, to which these persecuted enthusiasts were so ruthlessly pursued, they conceived they had often to contend with the visible assaults of the Enemy of mankind, as in the cities, and in the cultivated fields, they were exposed to those of the tyrannical government and their soldiery. Such were the terrors which made one of their gifted seers exclaim, when his companion returned to him, after having left him alone in a haunted cavern in Sorn in Galloway, "It is hard living in this world—incarnate devils above the earth, and devils under the earth! Satan has been here since ye

from the rendezvous on Thursday night; upon which, by promising him some more money, I got a promise of him to meet me at the same place, in the afternoon of the Thursday following, and so dismissed him at that time. The boy came again at the place and time appointed, and I had prevailed with some friends to continue with me, if possible, to prevent his moving that night; he was placed between us, and answered many questions, without offering to go from us, until about eleven of the clock, he was got away unperceived of the company; but I suddenly missing him, hasted to the door, and took hold of him, and so returned him into the same room; we all watched him, and on a sudden he was again out of the doors. I followed him close, and he made a noise in the street as if he had been set upon; but from that time I could never see him.

"GEORGE BURTON."

went away, but I have dismissed him by resistance; we will be no more troubled with him this night." David Deans believed this, and many other such ghostly encounters and victories, on the faith of the Ansars, or auxiliaries of the banished prophets. This event was beyond David's remembrance. But he used to tell with great awe, yet not without a feeling of proud superiority to his auditors, how he himself had been present at a field-meeting at Crochmade, when the duty of the day was interrupted by the apparition of a tall black man, who, in the act of crossing a ford to join the congregation, lost ground, and was carried down apparently by the force of the stream. All were instantly at work to assist him, but with so little success, that ten or twelve stout men, who had hold of the rope which they had cast in to his aid, were rather in danger to be dragged into the stream, and lose their own lives, than likely to save that of the supposed perishing man. "But famous John Semple of Carspharn," David Deans used to say with exultation, "saw the whaup in the rape.—'Quit the rope,' he cried to us, (for I that was but a callant had a haud o' the rape mysell,) 'it is the Great Enemy! he will burn, but not drown; his design is to disturb the good wark, by raising wonder and confusion in your minds; to put off from your spirits all that ye hae heard and felt'—Sae we let go the rape," said David, "and he went adown the water screeching and bullering like a Bull of Bashan, as he's ca'd in Scripture." *

* The gloomy, dangerous, and constant wanderings of the persecuted sect of Cameronians, naturally led to their entertaining with peculiar credulity the belief, that they were sometimes persecuted, not only by the wrath of men, but by the secret wiles and open terrors of Satan. In fact, a flood could not happen, a horse cast a

Trained in these and similar legends, it was no wonder that Jeanie began to feel an ill-defined apprehension, not merely of the phantoms which might beset her way, but of the quality, nature, and purpose of the being who had thus appointed her a meeting, at a place and hour of horror, and at a time when her mind must be necessarily full of those tempting and ensnaring thoughts of grief and despair, which were supposed to lay sufferers particularly open to the temptations of the Evil One. If such an idea had crossed even Butler's well-informed mind, it was calculated to make a much stronger impression upon hers. Yet firmly believing the possibility of an encounter so terrible to flesh and blood, Jeanie, with a degree of resolution of which we cannot sufficiently estimate the merit, because the incredulity of the age has rendered us strangers to the nature and extent of her feelings, persevered in her determination not to omit an opportunity of doing something towards saving her sister, although, in the attempt to avail herself of it, she might be exposed to dangers so dreadful to her imagination. So, like Christiana in the Pilgrim's Progress, when traversing with a timid yet resolved step the terrors of the Valley of the Shadow of Death, she glided on by rock and stone, "now in glimmer and now in gloom," as her path lay through moonlight or shadow, and endeavoured to overpower the suggestions of fear, sometimes by fixing her mind upon the distressed condition of her sister, and the duty she lay under to afford her aid, should

shoe, or any other the most ordinary interruption thwart a minister's wish to perform service at a particular spot, than the accident was imputed to the immediate agency of fiends. The encounter of Alexander Peden with the Devil in the cave, and that of John Semple with the demon in the ford, are given by Peter Walker almost in the language of the text.

that be in her power; and more frequently by recurring in mental prayer to the protection of that Being to whom night is as noon-day.

Thus drowning at one time her fears by fixing her mind on a subject of overpowering interest, and arguing them down at others by referring herself to the protection of the Deity, she at length approached the place assigned for this mysterious conference.

It was situated in the depth of the valley behind Salisbury Crags, which has for a background the north-western shoulder of the mountain called Arthur's Seat, on whose descent still remain the ruins of what was once a chapel, or hermitage, dedicated to St. Anthony the Eremite. A better site for such a building could hardly have been selected; for the chapel, situated among the rude and pathless cliffs, lies in a desert, even in the immediate vicinity of a rich, populous, and tumultuous capital: and the hum of the city might mingle with the orisons of the recluses, conveying as little of worldly interest as if it had been the roar of the distant ocean. Beneath the steep ascent on which these ruins are still visible, was, and perhaps is still pointed out, the place where the wretch Nichol Muschat, who has been already mentioned in these pages, had closed a long scene of cruelty towards his unfortunate wife, by murdering her, with circumstances of uncommon barbarity.* The execration in which the man's crime was held, extended itself to the place where it was perpetrated, which was marked by a small *cairn*, or heap of stones, composed of those which each chance passenger had thrown there in testimony of abhorrence, and on the principle, it would seem, of the ancient British malediction, "May you have a cairn for your burial-place!"

* See Note, *Muschat's Cairn*, p. 187.

As our heroine approached this ominous and unhallowed spot, she paused and looked to the moon, now rising broad in the north-west, and shedding a more distinct light than it had afforded during her walk thither. Eyeing the planet for a moment, she then slowly and fearfully turned her head towards the cairn, from which it was at first averted. She was at first disappointed. Nothing was visible beside the little pile of stones, which shone grey in the moonlight. A multitude of confused suggestions rushed on her mind. Had her correspondent deceived her, and broken his appointment?—was he too tardy at the appointment he had made?—or had some strange turn of fate prevented him from appearing as he proposed?—or, if he were an unearthly being, as her secret apprehensions suggested, was it his object merely to delude her with false hopes, and put her to unnecessary toil and terror, according to the nature, as she had heard, of those wandering demons?—or did he purpose to blast her with the sudden horrors of his presence when she had come close to the place of rendezvous? These anxious reflections did not prevent her approaching to the cairn with a pace that, though slow, was determined.

When she was within two yards of the heap of stones, a figure rose suddenly up from behind it, and Jeanie scarce forbore to scream aloud at what seemed the realization of the most frightful of her anticipations. She constrained herself to silence, however, and, making a dead pause, suffered the figure to open the conversation, which he did, by asking, in a voice which agitation rendered tremulous and hollow, "Are you the sister of that ill-fated young woman?"

"I am—I am the sister of Effie Deans!" exclaimed Jeanie. "And as ever you hope God will hear you at

your need, tell me, if you can tell, what can be done to save her!"

"I do *not* hope God will hear me at my need," was the singular answer. "I do not deserve—I do not expect he will." This desperate language he uttered in a tone calmer than that with which he had at first spoken, probably because the shock of first addressing her was what he felt most difficult to overcome. Jeanie remained mute with horror to hear language expressed so utterly foreign to all which she had ever been acquainted with, that it sounded in her ears rather like that of a fiend than of a human being. The stranger pursued his address to her, without seeming to notice her surprise. "You see before you a wretch, predestined to evil here and hereafter."

"For the sake of Heaven, that hears and sees us," said Jeanie, "dinna speak in this desperate fashion! The gospel is sent to the chief of sinners—to the most miserable among the miserable."

"Then should I have my own share therein," said the stranger, "if you call it sinful to have been the destruction of the mother that bore me—of the friend that loved me—of the woman that trusted me—of the innocent child that was born to me. If to have done all this is to be a sinner, and survive it is to be miserable, then am I most guilty and most miserable indeed."

"Then you are the wicked cause of my sister's ruin?" said Jeanie, with a natural touch of indignation expressed in her tone of voice.

"Curse me for it, if you will," said the stranger; "I have well deserved it at your hand."

"It is fitter for me," said Jeanie, "to pray to God to forgive you."

"Do as you will, how you will, or what you will," he

replied, with vehemence; "only promise to obey my directions, and save your sister's life."

"I must first know," said Jeanie, "the means you would have me use in her behalf."

"No!—you must first swear—solemnly swear, that you will employ them when I make them known to you."

"Surely, it is needless to swear that I will do all that is lawful to a Christian, to save the life of my sister?"

"I will have no reservation!" thundered the stranger; "lawful or unlawful, Christian or heathen, you shall swear to do my hest, and act by my counsel, or—you little know whose wrath you provoke!"

"I will think on what you have said," said Jeanie, who began to get much alarmed at the frantic vehemence of his manner, and disputed in her own mind, whether she spoke to a maniac, or an apostate spirit incarnate—"I will think on what you say, and let you ken to-morrow."

"To-morrow!" exclaimed the man with a laugh of scorn—"And where will I be to-morrow?—or, where will you be to-night, unless you swear to walk by my counsel?—there was one accursed deed done at this spot before now; and there shall be another to match it, unless you yield up to my guidance body and soul."

As he spoke, he offered a pistol at the unfortunate young woman. She neither fled nor fainted, but sunk on her knees, and asked him to spare her life.

"Is that all you have to say?" said the unmoved ruffian.

"Do not dip your hands in the blood of a defenceless creature that has trusted to you," said Jeanie, still on her knees.

"Is that all you can say for your life?—Have you no

promise to give?—Will you destroy your sister, and compel me to shed more blood?"

"I can promise nothing," said Jeanie, "which is unlawful for a Christian."

He cocked the weapon, and held it towards her.

"May God forgive you!" she said, pressing her hands forcibly against her eyes.

"D—n!" muttered the man; and, turning aside from her, he uncocked the pistol, and replaced it in his pocket—"I am a villain," he said, "steeped in guilt and wretchedness, but not wicked enough to do you any harm! I only wished to terrify you into my measures—She hears me not—she is gone!—Great God! what a wretch am I become!"

As he spoke, she recovered herself from an agony which partook of the bitterness of death; and, in a minute or two, through the strong exertion of her natural sense and courage, collected herself sufficiently to understand he intended her no personal injury.

"No!" he repeated; "I would not add to the murder of your sister, and of her child, that of any one belonging to her!—Mad, frantic, as I am, and unrestrained by either fear or mercy, given up to the possession of an evil being, and forsaken by all that is good, I would not hurt you, were the world offered me for a bribe! But, for the sake of all that is dear to you, swear you will follow my counsel. Take this weapon, shoot me through the head, and with your own hand revenge your sister's wrong, only follow the course—the only course, by which her life can be saved."

"Alas! is she innocent or guilty?"

"She is guiltless—guiltless of every thing, but of having trusted a villain!—Yet, had it not been for those that

were worse than I am—yes, worse than I am, though I am bad indeed—this misery had not befallen."

"And my sister's child—does it live?" said Jeanie.

"No; it was murdered—the new-born infant was barbarously murdered," he uttered in a low, yet stern and sustained voice;—"but," he added hastily, "not by her knowledge or consent."

"Then, why cannot the guilty be brought to justice, and the innocent freed?"

"Torment me not with questions which can serve no purpose," he sternly replied—"The deed was done by those who are far enough from pursuit, and safe enough from discovery!—No one can save Effie but yourself."

"Wo's me! how is it in my power?" asked Jeanie, in despondency.

"Hearken to me!—You have sense—you can apprehend my meaning—I will trust you. Your sister is innocent of the crime charged against her——"

"Thank God for that!" said Jeanie.

"Be still and hearken!—The person who assisted her in her illness murdered the child; but it was without the mother's knowledge or consent.—She is therefore guiltless, as guiltless as the unhappy innocent, that but gasped a few minutes in this unhappy world—the better was its hap to be so soon at rest. She is innocent as that infant, and yet she must die—it is impossible to clear her of the law!"

"Cannot the wretches be discovered, and given up to punishment?" said Jeanie.

"Do you think you will persuade those who are hardened in guilt to die to save another?—Is that the reed you would lean to?"

"But you said there was a remedy," again gasped out the terrified young woman.

"There is," answered the stranger, "and it is in your own hands. The blow which the law aims cannot be broken by directly encountering it, but it may be turned aside. You saw your sister during the period preceding the birth of her child—what is so natural as that she should have mentioned her condition to you? The doing so would, as their cant goes, take the case from under the statute, for it removes the quality of concealment. I know their jargon, and have had sad cause to know it; and the quality of concealment is essential to this statutory offence.* Nothing is so natural as that Effie should have mentioned her condition to you—think—reflect—I am positive that she did."

* The Scottish Statute Book, anno 1690, chapter 21, in consequence of the great increase of the crime of child murder, both from the temptations to commit the offence and the difficulty of discovery, enacted a certain set of presumptions, which, in the absence of direct proof, the jury were directed to receive as evidence of the crime having actually been committed. The circumstances selected for this purpose were, that the woman should have concealed her situation during the whole period of pregnancy; that she should not have called for help at her delivery; and that, combined with these grounds of suspicion, the child should be either found dead or be altogether missing. Many persons suffered death during the last century under this severe act. But during the author's memory a more lenient course was followed, and the female accused under the act, and conscious of no competent defence, usually lodged a petition to the Court of Justiciary, denying, for form's sake, the tenor of the indictment, but stating, that as her good name had been destroyed by the charge, she was willing to submit to sentence of banishment, to which the crown counsel usually consented. This lenity in practice, and the comparative infrequency of the crime since the doom of public ecclesiastical penance has been generally dispensed with, have led to the abolition of the Statute of William and Mary, which is now replaced by another, imposing banishment in those circumstances in which the crime was formerly capital. This alteration took place in 1803.

"Wo's me!" said Jeanie, "she never spoke to me on the subject, but grat sorely when I spoke to her about her altered looks, and the change on her spirits."

"You asked her questions on the subject?" he said eagerly. "You *must* remember her answer was, a confession that she had been ruined by a villain—yes, lay a strong emphasis on that—a cruel false villain call it—any other name is unnecessary; and that she bore under her bosom the consequences of his guilt and her folly; and that he had assured her he would provide safely for her approaching illness.—Well he kept his word!" These last words he spoke as if it were to himself, and with a violent gesture of self-accusation, and then calmly proceeded, "You will remember all this?—That is all that is necessary to be said."

"But I cannot remember," answered Jeanie, with simplicity, "that which Effie never told me."

"Are you so dull—so very dull of apprehension?" he exclaimed, suddenly grasping her arm, and holding it firm in his hand. "I tell you," (speaking between his teeth, and under his breath, but with great energy,) "you *must* remember that she told you all this, whether she ever said a syllable of it or no. You must repeat this tale, in which there is no falsehood, except in so far as it was not told to you, before these Justices—Justiciary—whatever they call their bloodthirsty court, and save your sister from being murdered, and them from becoming murderers. Do not hesitate—I pledge life and salvation, that in saying what I have said, you will only speak the simple truth."

"But," replied Jeanie, whose judgment was too accurate not to see the sophistry of this argument, "I shall be mansworn in the very thing in which my testimony is wanted,

for it is the concealment for which poor Effie is blamed, and you would make me tell a falsehood anent it."

"I see," he said, "my first suspicions of you were right, and that you will let your sister, innocent, fair, and guiltless, except in trusting a villain, die the death of a murderess, rather than bestow the breath of your mouth and the sound of your voice to save her."

"I wad ware the best blood in my body to keep her skaithless," said Jeanie, weeping in bitter agony, "but I canna change right into wrang, or make that true which is false."

"Foolish, hard-hearted girl," said the stranger, "are you afraid of what they may do to you? I tell you, even the retainers of the law, who course life as grey-hounds do hares, will rejoice at the escape of a creature so young —so beautiful; that they will not suspect your tale; that, if they did suspect it, they would consider you as deserving, not only of forgiveness, but of praise for your natural affection."

"It is not man I fear," said Jeanie, looking upward; "the God, whose name I must call on to witness the truth of what I say, he will know the falsehood."

"And he will know the motive," said the stranger, eagerly; "he will know that you are doing this—not for lucre of gain, but to save the life of the innocent, and prevent the commission of a worse crime than that which the law seeks to avenge."

"He has given us a law," said Jeanie, "for the lamp of our path; if we stray from it we err against knowledge —I may not do evil, even that good may come out of it. But you—you that ken all this to be true, which I must take on your word—you that, if I understood what you said e'en now, promised her shelter and protection in her

travail, why do not *you* step forward, and bear leal and soothfast evidence in her behalf, as ye may with a clear conscience?"

"To whom do you talk of a clear conscience, woman?" said he, with a sudden fierceness which renewed her terrors,—"to *me*?—I have not known one for many a year. Bear witness in her behalf?—a proper witness, that, even to speak these few words to a woman of so little consequence as yourself, must choose such an hour and such a place as this. When you see owls and bats fly abroad, like larks, in the sunshine, you may expect to see such as I am in the assemblies of men.—Hush—listen to that."

A voice was heard to sing one of those wild and monotonous strains so common in Scotland, and to which the natives of that country chant their old ballads. The sound ceased—then came nearer, and was renewed; the stranger listened attentively, still holding Jeanie by the arm, (as she stood by him in motionless terror,) as if to prevent her interrupting the strain by speaking or stirring. When the sounds were renewed, the words were distinctly audible:

"When the glede's in the blue cloud,
The lavrock lies still;
When the hound's in the green-wood,
The hind keeps the hill."

The person who sung kept a strained and powerful voice at its highest pitch, so that it could be heard at a very considerable distance. As the song ceased, they might hear a stifled sound, as of steps and whispers of persons approaching them. The song was again raised, but the tune was changed:

assembled by the extraordinary appearance of a coach in that sequestered place, who almost forced her back to her father's house. The deep and sympathetic affliction of these poor people, by whom the little family at St. Leonard's were held in high regard, filled the house with lamentation. Even Dumbiedikes was moved from his wonted apathy, and, groping for his purse as he spoke, ejaculated, "Jeanie, woman!—Jeanie, woman!—dinna greet—it's sad wark, but siller will help it;" and he drew out his purse as he spoke.

The old man had now raised himself from the ground, and, looking about him as if he missed something, seemed gradually to recover the sense of his wretchedness. "Where," he said, with a voice that made the roof ring, "where is the vile harlot that has disgraced the blood of an honest man?—Where is she, that has no place among us, but has come foul with her sins, like the Evil One, among the children of God?—Where is she, Jeanie?—Bring her before me, that I may kill her with a word and a look!"

All hastened around him with their appropriate sources of consolation—the Laird with his purse, Jeanie with burnt feathers, and strong waters, and the women with their exhortations. "O neighbour—O Mr. Deans, it's a sair trial, doubtless—but think of the Rock of Ages, neighbour—think of the promise!"

"And I do think of it, neighbours—and I bless God that I can think of it, even in the wrack and ruin of a' that's nearest and dearest to me—but to be the father of a castaway—a profligate—a bloody Zipporah—a mere murderess!—O, how will the wicked exult in the high places of their wickedness!—the prelatists, and the latitudinarians, and the hand-waled murderers, whose hands

are hard as horn wi' hauding the slaughter-weapons—they will push out the lip, and say that we are even such as themselves. Sair, sair I am grieved neighbours, for the poor castaway—for the child of mine old age—but sairer for the stumbling-block and scandal it will be to all tender and honest souls."

"Davie—winna siller do't?" insinuated the Laird, still proffering his green purse, which was full of guineas.

"I tell ye, Dumbiedikes," said Deans, "that if telling down my haill substance could hae saved her frae this black snare, I wad hae walked out wi' naething but my bonnet and my staff to beg an awmous for God's sake, and ca'd mysell an happy man—But if a dollar, or a plack, or the nineteenth part of a boddle, wad save her open guilt and open shame frae open punishment, that purchase wad David Deans never make!—Na, na; an eye for an eye, a tooth for a tooth, life for life, blood for blood—it's the law of man, and it's the law of God.—Leave me, sirs—leave me—I maun warstle wi' this trial in privacy and on my knees."

Jeanie, now in some degree restored to the power of thought, joined in the same request. The next day found the father and daughter still in the depth of affliction, but the father sternly supporting his load of ill through a proud sense of religious duty, and the daughter anxiously suppressing her own feelings to avoid again awakening his. Thus was it with the afflicted family until the morning after Porteus's death, a period at which we are now arrived.

CHAPTER XI.

> Is all the counsel that we two have shared,
> The sisters' vows, the hours that we have spent
> When we have chid the hasty-footed time
> For parting us—Oh!—and is all forgot?
>
> MIDSUMMER NIGHT'S DREAM.

WE have been a long while in conducting Butler to the door of the cottage at St. Leonard's; yet the space which we have occupied in the preceding narrative does not exceed in length that which he actually spent on Salisbury Crags on the morning which succeeded the execution done upon Porteous by the rioters. For this delay he had his own motives. He wished to collect his thoughts, strangely agitated as they were, first by the melancholy news of Effie Deans's situation, and afterwards by the frightful scene which he had witnessed. In the situation also in which he stood with respect to Jeanie and her father, some ceremony, at least some choice of fitting time and season, was necessary to wait upon them. Eight in the morning was then the ordinary hour for breakfast, and he resolved that it should arrive before he made his appearance in their cottage.

Never did hours pass so heavily. Butler shifted his place and enlarged his circle to while away the time, and heard the huge bell of St. Giles's toll each successive hour in swelling tones, which were instantly attested by those of the other steeples in succession. He had heard

seven struck in this manner, when he began to think he might venture to approach nearer to St. Leonard's, from which he was still a mile distant. Accordingly he descended from his lofty station as low as the bottom of the valley which divides Salisbury Crags from those small rocks which take their name from Saint Leonard. It is, as many of my readers may know, a deep, wild, grassy valley, scattered with huge rocks and fragments which have descended from the cliffs and steep ascent to the east.

This sequestered dell, as well as other places of the open pasturage of the King's Park, was, about this time, often the resort of the gallants of the time who had affairs of honour to discuss with the sword. Duels were then very common in Scotland, for the gentry were at once idle, haughty, fierce, divided by faction, and addicted to intemperance, so that there lacked neither provocation, nor inclination to resent it when given; and the sword, which was part of every gentleman's dress, was the only weapon used for the decision of such differences. When, therefore, Butler observed a young man, skulking, apparently to avoid observation, among the scattered rocks at some distance from the foot-path, he was naturally led to suppose that he had sought this lonely spot upon that evil errand. He was so strongly impressed with this, that, notwithstanding his own distress of mind, he could not, according to his sense of duty as a clergyman, pass this person without speaking to him. There are times, thought he to himself, when the slightest interference may avert a great calamity—when a word spoken in season may do more for prevention than the eloquence of Tully could do for remedying evil—And for my own griefs, be they as they may, I shall feel them the lighter, if they divert me not from the prosecution of my duty.

Thus thinking and feeling, he quitted the ordinary path, and advanced nearer the object he had noticed. The man at first directed his course towards the hill, in order, as it appeared, to avoid him; but when he saw that Butler seemed disposed to follow him, he adjusted his hat fiercely, turned round, and came forward, as if to meet and defy scrutiny.

Butler had an opportunity of accurately studying his features as they advanced slowly to meet each other. The stranger seemed about twenty-five years old. His dress was of a kind which could hardly be said to indicate his rank with certainty, for it was such as young gentlemen sometimes wore while on active exercise in the morning, and which, therefore, was imitated by those of the inferior ranks, as young clerks and tradesmen, because its cheapness rendered it attainable, while it approached more nearly to the apparel of youths of fashion than any other which the manners of the times permitted them to wear. If his air and manner could be trusted, however, this person seemed rather to be dressed under than above his rank; for his carriage was bold and somewhat supercilious, his step easy and free, his manner daring and unconstrained. His stature was of the middle size, or rather above it, his limbs well-proportioned, yet not so strong as to infer the reproach of clumsiness. His features were uncommonly handsome, and all about him would have been interesting and prepossessing, but for that indescribable expression which habitual dissipation gives to the countenance, joined with a certain audacity in look and manner, of that kind which is often assumed as a mask for confusion and apprehension.

Butler and the stranger met—surveyed each other—when, as the latter, slightly touching his hat, was about

to pass by him, Butler, while he returned the salutation, observed, "A fine morning, sir—You are on the hill early."

"I have business here," said the young man, in a tone meant to repress farther inquiry.

"I do not doubt it, sir," said Butler. "I trust you will forgive my hoping that it is of a lawful kind?"

"Sir," said the other, with marked surprise, "I never forgive impertinence, nor can I conceive what title you have to hope any thing about what no way concerns you."

"I am a soldier, sir," said Butler, "and have a charge to arrest evil-doers in the name of my Master."

"A soldier!" said the young man, stepping back, and fiercely laying his hand on his sword—"A soldier, and arrest me! Did you reckon what your life was worth, before you took the commission upon you?"

"You mistake me, sir," said Butler, gravely; "neither my warfare nor my warrant are of this world. I am a preacher of the gospel, and have power, in my Master's name, to command the peace upon earth and good-will towards men, which was proclaimed with the gospel."

"A minister!" said the stranger, carelessly, and with an expression approaching to scorn. "I know the gentlemen of your cloth in Scotland claim a strange right of intermeddling with men's private affairs. But I have been abroad, and know better than to be priest-ridden."

"Sir, if it be true that any of my cloth, or, it might be more decently said, of my calling, interfere with men's private affairs, for the gratification either of idle curiosity, or for worse motives, you cannot have learned a better lesson abroad than to contemn such practices. But, in my Master's work, I am called to be busy in season and

out of season; and, conscious as I am of a pure motive, it were better for me to incur your contempt for speaking, than the correction of my own conscience for being silent."

"In the name of the devil!" said the young man impatiently, "say what you have to say, then; though whom you take me for, or what earthly concern you have with me, a stranger to you, or with my actions and motives, of which you can know nothing, I cannot conjecture for an instant."

"You are about," said Butler, "to violate one of your country's wisest laws—you are about, which is much more dreadful, to violate a law, which God himself has implanted within our nature, and written, as it were, in the table of our hearts, to which every thrill of our nerves is responsive."

"And what is the law you speak of?" said the stranger, in a hollow and somewhat disturbed accent.

"Thou shalt do no MURDER," said Butler, with a deep and solemn voice.

The young man visibly started, and looked considerably appalled. Butler perceived he had made a favourable impression, and resolved to follow it up. "Think," he said, "young man," laying his hand kindly upon the stranger's shoulder, "what an awful alternative you voluntarily choose for yourself, to kill or be killed. Think what it is to rush uncalled into the presence of an offended Deity, your heart fermenting with evil passions, your hand hot from the steel you had been urging, with your best skill and malice, against the breast of a fellow-creature. Or, suppose yourself the scarce less wretched survivor, with the guilt of Cain, the first murderer, in your heart, with the stamp upon your

brow—that stamp which struck all who gazed on him with unutterable horror, and by which the murderer is made manifest to all who look upon him. Think——"

The stranger gradually withdrew himself from under the hand of his monitor; and, pulling his hat over his brows, thus interrupted him. "Your meaning, sir, I dare say, is excellent, but you are throwing your advice away. I am not in this place with violent intentions against any one. I may be bad enough—you priests say all men are so—but I am here for the purpose of saving life, not of taking it away. If you wish to spend your time rather in doing a good action than in talking about you know not what, I will give you an opportunity. Do you see yonder crag to the right, over which appears the chimney of a lone house? Go thither, inquire for one Jeanie Deans, the daughter of the goodman; let her know that he she wots of remained here from daybreak till this hour, expecting to see her, and that he can abide no longer. Tell her, she *must* meet me at the Hunter's Bog to-night, as the moon rises behind St. Anthony's Hill, or that she will make a desperate man of me."

"Who or what are you," replied Butler, exceedingly and most unpleasantly surprised, "who charge me with such an errand?"

"I am the devil!"——answered the young man hastily.

Butler stepped instinctively back, and commended himself internally to Heaven; for, though a wise and strong-minded man, he was neither wiser nor more strong-minded than those of his age and education, with whom, to disbelieve witchcraft or spectres, was held an undeniable proof of atheism.

The stranger went on without observing his emotion. "Yes! call me Apollyon, Abaddon, whatever name you

shall choose, as a clergyman acquainted with the upper and lower circles of spiritual denomination, to call me by, you shall not find an appellation more odious to him that bears it, than is mine own."

This sentence was spoken with the bitterness of self-upbraiding, and a contortion of visage absolutely demoniacal. Butler, though a man brave by principle, if not by constitution, was overawed; for intensity of mental distress has in it a sort of sublimity which repels and overawes all men, but especially those of kind and sympathetic dispositions. The stranger turned abruptly from Butler as he spoke, but instantly returned, and, coming up to him closely and boldly, said, in a fierce, determined tone, "I have told you who and what I am—who, and what are you? What is your name?"

"Butler," answered the person to whom this abrupt question was addressed, surprised into answering it by the sudden and fierce manner of the querist—"Reuben Butler, a preacher of the gospel."

At this answer, the stranger again plucked more deep over his brows the hat which he had thrown back in his former agitation. "Butler!" he repeated—"the assistant of the schoolmaster at Libberton?"

"The same," answered Butler, composedly.

The stranger covered his face with his hand, as if on sudden reflection, and then turned away, but stopped when he had walked a few paces; and seeing Butler follow him with his eyes, called out in a stern, yet suppressed tone, just as if he had exactly calculated that his accents should not be heard a yard beyond the spot on which Butler stood. "Go your way, and do mine errand. Do not look after me. I will neither descend through the bowels of these rocks, nor vanish in a flash

of fire; and yet the eye that seeks to trace my motions shall have reason to curse it was ever shrouded by eyelid or eyelash. Begone, and look not behind you. Tell Jeanie Deans, that when the moon rises, I shall expect to meet her at Nicol Muschat's Cairn, beneath St. Anthony's Chapel."

As he uttered these words, he turned and took the road against the hill, with a haste that seemed as peremptory as his tone of authority.

Dreading he knew not what of additional misery to a lot which seemed little capable of receiving augmentation, and desperate at the idea that any living man should dare to send so extraordinary a request, couched in terms so imperious, to the half-betrothed object of his early and only affection, Butler strode hastily towards the cottage, in order to ascertain how far this daring and rude gallant was actually entitled to press on Jeanie Deans a request, which no prudent, and scarce any modest young woman, was likely to comply with.

Butler was by nature neither jealous nor superstitious; yet the feelings which lead to those moods of the mind were rooted in his heart, as a portion derived from the common stock of humanity. It was maddening to think that a profligate gallant, such as the manner and tone of the stranger evinced him to be, should have it in his power to command forth his future bride and plighted true love, at a place so improper, and an hour so unseasonable. Yet the tone in which the stranger spoke had nothing of the soft half-breathed voice proper to the seducer who solicits an assignation; it was bold, fierce, and imperative, and had less of love in it than of menace and intimidation.

The suggestions of superstition seemed more plausible,

had Butler's mind been very accessible to them. Was this indeed the Roaring Lion, who goeth about seeking whom he may devour? This was a question which pressed itself on Butler's mind with an earnestness that cannot be conceived by those who live in the present day. The fiery eye, the abrupt demeanour, the occasionally harsh, yet studiously subdued tone of voice,—the features, handsome, but now clouded with pride, now disturbed by suspicion, now inflamed with passion—those dark hazel eyes, which he sometimes shaded with his cap, as if he were averse to have them seen while they were occupied with keenly observing the motions and bearing of others—those eyes that were now turbid with melancholy, now gleaming with scorn, and now sparkling with fury—was it the passions of a mere mortal they expressed, or the emotions of a fiend, who seeks, and seeks in vain, to conceal his fiendish designs under the borrowed mask of manly beauty? The whole partook of the mien, language, and port of the ruined archangel; and, imperfectly as we have been able to describe it, the effect of the interview upon Butler's nerves, shaken as they were at the time by the horrors of the preceding night, were greater than his understanding warranted, or his pride cared to submit to. The very place where he had met this singular person was desecrated, as it were, and unhallowed, owing to many violent deaths, both in duels and by suicide, which had in former times taken place there; and the place which he had named as a rendezvous at so late an hour, was held in general to be accursed, from a frightful and cruel murder which had been there committed by the wretch from whom the place took its name, upon the person of his own wife.* It was

* Nichol Muschat, a debauched and profligate wretch, having con-

in such places, according to the belief of that period, (when the laws against witchcraft were still in fresh observance, and had even lately been acted upon,) that evil spirits had power to make themselves visible to human eyes, and to practise upon the feelings and senses of mankind. Suspicions founded on such circumstances, rushed on Butler's mind, unprepared as it was by any previous course of reasoning, to deny that which all of his time, country, and profession believed; but common sense rejected these vain ideas as inconsistent, if not with possibility, at least with the general rules by which the universe is governed,—a deviation from which, as Butler well argued with himself, ought not to be admitted as probable, upon any but the plainest and most incontrovertible evidence. An earthly lover, however, or a young man, who, from whatever cause, had the right of exercising such summary and unceremonious authority

ceived a hatred against his wife, entered into a conspiracy with another brutal libertine and gambler, named Campbell of Burnbank, (repeatedly mentioned in Pennycuick's satirical poems of the time,) by which Campbell undertook to destroy the woman's character, so as to enable Muschat, on false pretences, to obtain a divorce from her. The brutal devices to which these worthy accomplices resorted for that purpose having failed, they endeavoured to destroy her by administering medicine of a dangerous kind, and in extraordinary quantities.

This purpose also failing, Nichol Muschat, or Muschet, did finally, on the 17th October, 1720, carry his wife under cloud of night to the King's Park, adjacent to what is called the Duke's Walk, near Holyrood Palace, and there took her life by cutting her throat almost quite through, and inflicting other wounds. He pleaded guilty to the indictment, for which he suffered death. His associate, Campbell, was sentenced to transportation for his share in the previous conspiracy. See *MacLaurin's Criminal Cases*, pp. 64 and 738.

In memory, and at the same time execration, of the deed, a *cairn*, or pile of stones, long marked the spot. It is now almost totally removed, in consequence of an alteration on the road in that place.

over the object of his long-settled, and apparently sincerely returned affection, was an object scarce less appalling to his mind, than those which superstition suggested.

His limbs exhausted with fatigue, his mind harassed with anxiety, and with painful doubts and recollections, Butler dragged himself up the ascent from the valley to St. Leonard's Crags, and presented himself at the door of Deans's habitation, with feelings much akin to the miserable reflections and fears of its inhabitants.

CHAPTER XII.

Then she stretched out her lily hand,
And for to do her best;
"Hae back thy faith and troth, Willie,
God gie thy soul good rest!"
OLD BALLAD.

"COME in," answered the low and sweet-toned voice he loved best to hear, as Butler tapped at the door of the cottage. He lifted the latch, and found himself under the roof of affliction. Jeanie was unable to trust herself with more than one glance towards her lover, whom she now met under circumstances so agonizing to her feelings, and at the same time so humbling to her honest pride. It is well known, that much, both of what is good and bad in the Scottish national character, arises out of the intimacy of their family connections. "To be come of honest folk," that is, of people who have borne a fair and unstained reputation, is an advantage as highly prized among the lower Scotch, as the emphatic counterpart, "to be of a good family," is valued among their gentry. The worth and respectability of one member of a peasant's family is always accounted by themselves and others, not only a matter of honest pride, but a guarantee for the good conduct of the whole. On the contrary, such a melancholy stain as was now flung on one of the children of Deans, extended its disgrace to all connected with him, and Jeanie felt herself lowered at once, in her own eyes, and in those of her lover. It was in vain that she re-

pressed this feeling, as far subordinate and too selfish to be mingled with her sorrow for her sister's calamity. Nature prevailed; and while she shed tears for her sister's distress and danger, there mingled with them bitter drops of grief for her own degradation.

As Butler entered, the old man was seated by the fire with his well-worn pocket Bible in his hands, the companion of the wanderings and dangers of his youth, and bequeathed to him on the scaffold by one of those, who, in the year 1686, sealed their enthusiastic principles with their blood. The sun sent its rays through a small window at the old man's back, and, "shining motty through the reek," to use the expression of a bard of that time and country, illumined the grey hairs of the old man, and the sacred page which he studied. His features, far from handsome, and rather harsh and severe, had yet from their expression of habitual gravity, and contempt for earthly things, an expression of stoical dignity amidst their sternness. He boasted, in no small degree, the attributes which Southey ascribes to the ancient Scandinavians, whom he terms "firm to inflict and stubborn to endure." The whole formed a picture, of which the lights might have been given by Rembrandt, but the outline would have required the force and vigour of Michael Angelo.

Deans lifted his eye as Butler entered, and instantly withdrew it, as from an object which gave him at once surprise and sudden pain. He had assumed such high ground with this carnal-witted scholar, as he had in his pride termed Butler, that to meet him of all men, under feelings of humiliation, aggravated his misfortune, and was a consummation like that of the dying chief in the old ballad—"Earl Percy sees my fall!"

Deans raised the Bible with his left hand, so as partly to screen his face, and putting back his right as far as he could, held it towards Butler in that position, at the same time turning his body from him, as if to prevent his seeing the working of his countenance. Butler clasped the extended hand which had supported his orphan infancy, wept over it, and in vain endeavoured to say more than the words—"God comfort you—God comfort you!"

"He will—he doth, my friend," said Deans, assuming firmness as he discovered the agitation of his guest; "he doth now, and he will yet more in his own gude time. I have been ower proud of my sufferings in a gude cause, Reuben, and now I am to be tried with those whilk will turn my pride and glory into a reproach and a hissing. How muckle better I hae thought mysell than them that lay saft, fed sweet, and drank deep, when I was in the moss-haggs and moors, wi' precious Donald Cameron, and worthy Mr. Blackadder, called Guessagain; and how proud I was o' being made a spectacle to men and angels, having stood on their pillory at the Canongate afore I was fifteen years old, for the cause of a National Covenant! To think, Reuben, that I, wha hae been sae honoured and exalted in my youth, nay, when I was but a hafflins callant, and that hae borne testimony again the defections o' the times yearly, monthly, daily, hourly, minutely, striving and testifying with uplifted hand and voice, crying aloud, and sparing not, against all great national snares, as the nation-wasting and church-sinking abomination of union, toleration, and patronage, imposed by the last woman of that unhappy race of Stuarts; also against the infringements and invasions of the just powers of eldership, whereanent I uttered my paper, called a

"O sleep ye sound, Sir James, she said,
When ye suld rise and ride;
There's twenty men, wi' bow and blade,
Are seeking where ye hide."

"I dare stay no longer," said the stranger; "return home, or remain till they come up—you have nothing to fear—but do not tell you saw me—your sister's fate is in your hands." So saying, he turned from her, and with a swift, yet cautiously noiseless step, plunged into the darkness on the side most remote from the sounds which they heard approaching, and was soon lost to her sight. Jeanie remained by the cairn, terrified beyond expression, and uncertain whether she ought to fly homeward with all the speed she could exert, or wait the approach of those who were advancing towards her. This uncertainty detained her so long, that she now distinctly saw two or three figures already so near to her, that a precipitate flight would have been equally fruitless and impolitic.

CHAPTER XVI.

——— She speaks things in doubt,
That carry but half sense; her speech is nothing,
Yet the unshaped use of it doth move
The hearers to collection; they aim at it,
And botch the words up to fit their own thoughts.
HAMLET.

LIKE the digressive poet Ariosto, I find myself under the necessity of connecting the branches of my story, by taking up the adventures of another of the characters, and bringing them down to the point at which we have left those of Jeanie Deans. It is not, perhaps, the most artificial way of telling a story, but it has the advantage of sparing the necessity of resuming what a knitter (if stocking looms have left such a person in the land) might call our "dropped stitches;" a labour in which the author generally toils much, without getting credit for his pains.

"I could risk a sma' wad," said the clerk to the magistrate, "that this rascal Ratcliffe, if he were insured of his neck's safety, could do more than ony ten of our police-people and constables, to help us to get out of this scrape of Porteous's. He is weel acquent wi' a' the smugglers, thieves, and banditti about Edinburgh; and, indeed, he may be called the father of a' the misdoers in Scotland, for he has passed amang them for these twenty years by the name of Daddie Rat."

"A bonny sort of a scoundrel," replied the magistrate, "to expect a place under the city!"

"Begging your honour's pardon," said the city's procurator-fiscal, upon whom the duties of superintendent of police devolved, "Mr. Fairscrieve is perfectly in the right. It is just sic as Ratcliffe that the town needs in my department; an' if sae be that he's disposed to turn his knowledge to the city service, ye'll no find a better man.—Ye'll get nae saints to be searchers for uncustomed goods, or for thieves and sic like;—and your decent sort of men, religious professors, and broken tradesmen, that are put into the like o' sic trust, can do nae gude ava. They are feared for this, and they are scrupulous about that, and they are na free to tell a lie, though it may be for the benefit of the city; and they dinna like to be out at irregular hours, and in a dark cauld night, and they like a clout ower the crown far waur; and sae between the fear o' God, and the fear o' man, and the fear o' getting a sair throat, or sair banes, there's a dozen o' our city-folk, baith waiters, and officers, and constables, that can find out naething but a wee bit skulduddery for the benefit of the Kirk-treasurer. Jock Porteous, that's stiff and stark, puir fallow, was worth a dozen o' them; for he never had ony fears, or scruples, or doubts, or conscience, about ony thing your honours bade him."

"He was a gude servant o' the town," said the Bailie, "though he was an ower free-living man. But if you really think this rascal Ratcliffe could do us ony service in discovering these malefactors, I would insure him life, reward, and promotion. It's an awsome thing this mischance for the city, Mr. Fairscrieve. It will be very ill taen wi' abune stairs. Queen Caroline, God bless her! is a woman—at least I judge sae, and it's nae treason to

speak my mind sae far—and ye maybe ken as weel as I do, for ye hae a housekeeper, though ye arena a married man, that women are wilfu' and downa bide a slight. And it will sound ill in her ears, that sic a confused mistake suld come to pass, and naebody sae muckle as to be put into the Tolbooth about it."

"If ye thought that, sir," said the procurator-fiscal, "we could easily clap into the prison a few blackguards upon suspicion. It will have a gude active look, and I hae aye plenty on my list, that wadna be a hair the waur of a week or twa's imprisonment; and if ye thought it no strictly just, ye could be just the easier wi' them the neist time they did ony thing to deserve it; they arena the sort to be lang o' gieing ye an opportunity to clear scores wi' them on that account."

"I doubt that will hardly do in this case, Mr. Sharpitlaw," returned the town-clerk; "they'll run their letters,* and be adrift again, before ye ken where ye are."

"I will speak to the Lord Provost," said the magistrate, "about Ratcliffe's business. Mr. Sharpitlaw, you will go with me, and receive instructions—something may be made too out of this story of Butler's and his unknown gentleman—I know no business any man has to swagger about in the King's Park, and call himself the devil, to the terror of honest folks, who dinna care to hear mair about the devil than is said from the pulpit on the Sabbath. I cannot think the preacher himself wad be heading the mob, though the time has been, they hae been as forward in a bruilzie as their neighbours."

"But these times are lang by," said Mr. Sharpitlaw. "In my father's time, there was mair search for silenced

* A Scottish form of procedure, answering, in some respects, to the English Habeas Corpus.

ministers about the Bow-head and the Covenant-close, and all the tents of Kedar, as they ca'd the dwellings o' the godly in those days, than there's now for thieves and vagabonds in the Laigh Calton, and the back o' the Canongate. But that time's weel by, and it bide. And if the Bailie will get me directions and authority from the Provost, I'll speak wi' Daddie Rat mysell; for I'm thinking I'll make mair out o' him than ye'll do."

Mr. Sharpitlaw, being necessarily a man of high trust, was accordingly empowered, in the course of the day, to make such arrangements, as might seem in the emergency most advantageous for the Good Town. He went to the jail accordingly, and saw Ratcliffe in private.

The relative positions of a police-officer and a professed thief bear a different complexion, according to circumstances. The most obvious simile of a hawk pouncing upon his prey is often least applicable. Sometimes the guardian of justice has the air of a cat watching a mouse, and, while he suspends his purpose of springing upon the pilferer, takes care so to calculate his motions that he shall not get beyond his power. Sometimes, more passive still, he uses the art of fascination ascribed to the rattlesnake, and contents himself with glaring on the victim, through all his devious flutterings; certain that his terror, confusion, and disorder of ideas, will bring him into his jaws at last. The interview between Ratcliffe and Sharpitlaw had an aspect different from all these. They sat for five minutes silent, on opposite sides of a small table, and looked fixedly at each other, with a sharp, knowing, and alert cast of countenance, not unmingled with an inclination to laugh, and resembled, more than any thing else, two dogs, who, preparing for a game at romps, are seen to couch down, and remain in that pos-

ture for a little time, watching each other's movements, and waiting which shall begin the game.

"So, Mr. Ratcliffe," said the officer, conceiving it suited his dignity to speak first, "you give up business, I find?"

"Yes, sir," replied Ratcliffe; "I shall be on that lay nae mair—and I think that will save your folk some trouble, Mr. Sharpitlaw?"

"Which Jock Dalgleish" (then finisher of the law in the Scottish metropolis) "wad save them as easily," returned the procurator-fiscal.

"Ay; if I waited in the Tolbooth here to have him fit my cravat—but that's an idle way o' speaking, Mr. Sharpitlaw."

"Why, I suppose you know you are under sentence of death, Mr. Ratcliffe?" replied Mr. Sharpitlaw.

"Ay, so are a', as that worthy minister said in the Tolbooth Kirk the day Robertson wan off; but naebody kens when it will be executed. Gude faith, he had better reason to say sae than he dreamed of, before the play was played out that morning!"

"This Robertson," said Sharpitlaw, in a lower and something like a confidential tone, "d'ye ken, Rat—that is, can ye gie us ony inkling where he is to be heard tell o'?"

"Troth, Mr. Sharpitlaw, I'll be frank wi' ye; Robertson is rather a cut abune me—a wild deevil he was, and mony a daft prank he played; but except the Collector's job that Wilson led him into, and some tuilzies about run goods wi' the gaugers and the waiters, he never did ony thing that came near our line o' business."

"Umph! that's singular, considering the company he kept."

"Fact, upon my honour and credit," said Ratcliffe, gravely. "He keepit out o' our little bits of affairs, and that's mair than Wilson did; I hae dune business wi' Wilson afore now. But the lad will come on in time; there's nae fear o' him; naebody will live the life he has led, but what he'll come to sooner or later."

"Who or what is he, Ratcliffe? you, know, I suppose?" said Sharpitlaw.

"He's better born, I judge, than he cares to let on; he's been a soldier, and he has been a play-actor, and I watna what he has been or hasna been, for as young as he is, sae that it had daffing and nonsense about it."

"Pretty pranks he has played in his time, I suppose?"

"Ye may say that," said Ratcliffe, with a sardonic smile; "and," (touching his nose,) "a deevil amang the lasses."

"Like enough," said Sharpitlaw. "Weel, Ratcliffe, I'll no stand niffering wi' ye; ye ken the way that favour's gotten in my office; ye maun be usefu'."

"Certainly, sir, to the best of my power—naething for naething—I ken the rule of the office," said the ex-depredator.

"Now the principal thing in hand e'en now," said the official person, "is the job of Porteous's; and ye can gie us a lift—why, the inner turnkey's office to begin wi', and the captainship in time—ye understand my meaning?"

"Ay, troth do I, sir; a wink's as gude as a nod to a blind horse; but Jock Porteous's job—Lord help ye!—I was under sentence the haill time. God! but I couldna help laughing when I heard Jock skirling for mercy in the lads' hands. Mony a het skin ye hae gien me,

neighbour, thought I, tak ye what's gaun: time about's fair play; ye'll ken now what hanging's gude for."

"Come, come, this is all nonsense, Rat," said the procurator. "Ye canna creep out at that hole, lad; you must speak to the point—you understand me—if you want favour; gif-gaf makes gude friends, ye ken."

"But how can I speak to the point, as your honour ca's it," said Ratcliffe, demurely, and with an air of great simplicity, "when ye ken I was under sentence, and in the strong room a' the while the job was going on?"

"And how can we turn ye loose on the public again, Daddie Rat, unless ye do or say something to deserve it?"

"Well, then, d—n it!" answered the criminal, "since it maun be sae, I saw Geordie Robertson among the boys that brake the jail; I suppose that will do me some gude?"

"That's speaking to the purpose, indeed," said the office-bearer; "and now, Rat, where think ye we'll find him?"

"Deil haet o' me kens," said Ratcliffe: "he'll no likely gang back to ony o' his auld howffs; he'll be off the country by this time. He has gude friends some gate or other, for a' the life he's led; he's been weel educate."

"He'll grace the gallows the better," said Mr. Sharpitlaw; "a desperate dog, to murder an officer of the city for doing his duty! Wha kens wha's turn it might be next?—But you saw him plainly?"

"As plainly as I see you."

"How was he dressed?" said Sharpitlaw.

"I couldna weel see; something of a woman's bit mutch on his head; but ye never saw sic a ca'-throw. Ane couldna hae een to a' thing."

"But did he speak to no one?" said Sharpitlaw.

"They were a' speaking and gabbling through other," said Ratcliffe, who was obviously unwilling to carry his evidence farther than he could possibly help.

"This will not do, Ratcliffe," said the procurator; "you must speak *out—out—out*," tapping the table emphatically, as he repeated that impressive monosyllable.

"It's very hard, sir," said the prisoner; "and but for the under-turnkey's place——"

"And the reversion of the captaincy—the captaincy of the Tolbooth, man—that is, in case of gude behaviour."

"Ay, ay," said Ratcliffe, "gude behaviour!—there's the deevil. And then it's waiting for dead folk's shoon into the bargain."

"But Robertson's head will weigh something," said Sharpitlaw; "something gay and heavy, Rat; the town maun show cause—that's right and reason—and then ye'll hae freedom to enjoy your gear honestly."

"I dinna ken," said Ratcliffe; "it's a queer way of beginning the trade of honesty—but deil ma care. Weel, then, I heard and saw him speak to the wench Effie Deans, that's up there for child-murder."

"The deil ye did? Rat, this is finding a mare's nest wi' a witness.—And the man that spoke to Butler in the Park, and that was to meet wi' Jeanie Deans at Muschat's Cairn—whew! lay that and that together? As sure as I live he's been the father of the lassie's wean."

"There hae been waur guesses than that, I'm thinking," observed Ratcliffe, turning his quid of tobacco in his cheek, and squirting out the juice. "I heard something a while syne about his drawing up wi' a bonny quean about the Pleasaunts, and that it was a' Wilson could do to keep him frae marrying her."

Here a city officer entered, and told Sharpitlaw that they had the woman in custody whom he had directed them to bring before him.

"It's little matter now," said he, "the thing is taking another turn; however, George, ye may bring her in."

The officer retired, and introduced, upon his return, a tall, strapping wench of eighteen or twenty, dressed fantastically, in a sort of blue riding-jacket, with tarnished lace, her hair clubbed like that of a man, a Highland bonnet, and a bunch of broken feathers, a riding-skirt (or petticoat) of scarlet camlet, embroidered with tarnished flowers. Her features were coarse and masculine, yet at a little distance, by dint of very bright wild-looking black eyes, an aquiline nose, and a commanding profile, appeared rather handsome. She flourished the switch she held in her hand, dropped a courtesy as low as a lady at a birth-night introduction, recovered herself seemingly according to Touchstone's directions to Audrey, and opened the conversation without waiting till any questions were asked.

"God gie your honour gude-e'en, and mony o' them, bonny Mr. Sharpitlaw!—Gude-e'en to ye, Daddie Ratton—they tauld me ye were hanged, man; or did ye get out o' John Dalgleish's hands like half-hangit Maggie Dickson?"

"Whisht, ye daft jaud," said Ratcliffe, "and hear what's said to ye."

"Wi' a' my heart, Ratton. Great preferment for poor Madge to be brought up the street wi' a grand man, wi' a coat a' passemented wi' worset-lace, to speak wi' provosts, and bailies, and town-clerks, and prokitors, at this time o' day—and the haill town looking at me too—This is honour on earth for anes!"

"Ay, Madge," said Mr. Sharpitlaw, in a coaxing tone; "and ye're dressed out in your braws, I see; these are not your every days' claiths ye have on."

"Deil be in my fingers, then!" said Madge—"Eh, sirs!" (observing Butler come into the apartment,) "there's a minister in the Tolbooth—wha will ca' it a graceless place now?—I'se warrant, he's in for the gude auld cause—but it's be nae cause o' mine," and off she went into a song.

"Hey for cavaliers, ho for cavaliers,
Dub a dub, dub a dub;
Have at old Beelzebub,—
Oliver's squeaking for fear."

"Did you ever see that mad woman before?" said Sharpitlaw to Butler.

"Not to my knowledge, sir," replied Butler.

"I thought as much," said the procurator-fiscal, looking towards Ratcliffe, who answered his glance with a nod of acquiescence and intelligence.

"But that is Madge Wildfire, as she calls herself," said the man of law to Butler.

"Ay, that I am," said Madge, "and that I have been ever since I was something better—Heigh ho"—(and something like melancholy dwelt on her features for a minute)—"But I canna mind when that was—it was lang syne, at ony rate, and I'll ne'er fash my thumb about it.—

I glance like the wildfire through country and town;
I'm seen on the causeway—I'm seen on the down;
The lightning that flashes so bright and so free,
Is scarcely so blithe or so bonny as me."

"Haud your tongue, ye skirling limmer!" said the officer, who had acted as master of the ceremonies to this extraordinary performer, and who was rather scandalized at the freedom of her demeanour before a person of Mr. Sharpitlaw's importance—"haud your tongue, or I'se gie ye something to skirl for!"

"Let her alone, George," said Sharpitlaw, "dinna put her out o' tune; I hae some questions to ask her—But first, Mr. Butler, take another look of her."

"Do sae, minister—do sae," cried Madge; "I am as weel worth looking at as ony book in your aught.—And I can say the single carritch, and the double carritch, and justification and effectual calling, and the assembly of divines at Westminster, that is," (she added in a low tone,) "I could say them anes—but it's lang syne—and ane forgets, ye ken." And poor Madge heaved another deep sigh.

"Weel, sir," said Mr. Sharpitlaw to Butler, "what think ye now?"

"As I did before," said Butler; "that I never saw the poor demented creature in my life before."

"Then she is not the person whom you said the rioters last night described as Madge Wildfire?"

"Certainly not," said Butler. "They may be near the same height, for they are both tall, but I see little other resemblance."

"Their dress, then, is not alike?" said Sharpitlaw.

"Not in the least," said Butler.

"Madge, my bonny woman," said Sharpitlaw, in the same coaxing manner, "what did ye do wi' your ilka-days' claise yesterday?"

"I dinna mind," said Madge.

"Where was ye yesterday at e'en Madge?"

"I dinna mind ony thing about yesterday," answered Madge; "ae day is eneugh for ony body to wun ower wi' at a time, and ower muckle sometimes."

"But may be, Madge, ye wad mind something about it, if I was to gie ye this half-crown?" said Sharpitlaw, taking out the piece of money.

"That might gar me laugh, but it couldna gar me mind."

"But, Madge," continued Sharpitlaw, "were I to send you to the wark-house in Leith Wynd, and gar Jock Dalgleish lay the tawse on your back——"

"That wad gar me greet," said Madge, sobbing, "but it couldna gar me mind, ye ken."

"She is ower far past reasonable folk's motives, sir," said Ratcliffe, "to mind siller, or John Dalgleish, or the cat-and-nine-tails either; but I think I could gar her tell us something."

"Try her, then, Ratcliffe," said Sharpitlaw, "for I am tired of her crazy pate, and be d—d to her."

"Madge," said Ratcliffe, "hae ye ony joes now?"

"An ony body ask ye, say ye dinna ken.—Set him to be speaking of my joes, auld Daddie Ratton!"

"I dare say, ye hae deil ane?"

"See if I haena then," said Madge, with the toss of the head of affronted beauty—"there's Rob the Ranter, and Will Fleming, and then there's Geordie Robertson, lad—that's Gentleman Geordie—what think ye o' that?"

Ratcliffe laughed, and, winking to the procurator-fiscal, pursued the inquiry in his own way. "But, Madge, the lads only like ye when ye hae on your braws—they wadna touch you wi' a pair o' tangs when you are in your auld ilka-day rags."

"Ye're a leeing auld sorrow then," replied the fair

one; "for Gentle Geordie Robertson put my ilka-day's claise on his ain bonny sell yestreen, and gaed a' through the town wi' them; and gawsie and grand he lookit, like ony queen in the land."

"I dinna believe a word o't," said Ratcliffe, with another wink to the procurator. "Thae duds were a' o' the colour o' moonshine in the water, I'm thinking, Madge—The gown wad be a sky-blue scarlet, I'se warrant ye?"

"It was nae sic thing," said Madge, whose unretentive memory let out, in the eagerness of contradiction, all that she would have most wished to keep concealed, had her judgment been equal to her inclination. "It was neither scarlet nor sky-blue, but my ain auld brown threshie-coat of a short-gown, and my mother's auld mutch, and my red rokelay—and he gaed me a croun and a kiss for the use o' them, blessing on his bonny face—though it's been a dear ane to me."

"And where did he change his clothes again hinnie?" said Sharpitlaw, in his most conciliatory manner.

"The procurator's spoiled a'," observed Ratcliffe, dryly.

And it was even so; for the question, put in so direct a shape, immediately awakened Madge to the propriety of being reserved upon those very topics on which Ratcliffe had indirectly seduced her to become communicative.

"What was't ye were speering at us, sir?" she resumed, with an appearance of stolidity so speedily assumed, as showed there was a good deal of knavery mixed with her folly.

"I asked you," said the procurator, "at what hour, and to what place, Robertson brought back your clothes."

"Robertson?—Lord haud a care o' us! what Robertson?"

"Why, the fellow we were speaking of, Gentle Geordie, as you call him."

"Geordie Gentle!" answered Madge, with well-feigned amazement—"I dinna ken naebody they ca' Geordie Gentle."

"Come, my jo," said Sharpitlaw, "this will not do; you must tell us what you did with these clothes of yours."

Madge Wildfire made no answer, unless the question may seem connected with the snatch of a song with which she indulged the embarrassed investigator:—

"What did ye wi' the bridal ring—bridal ring—bridal ring?
What did ye wi' your wedding ring, ye little cutty quean, O?
I gied it till a sodger, a sodger, a sodger,
I gied it till a sodger, an auld true love o' mine, O."

Of all the madwomen who have sung and said, since the days of Hamlet the Dane, if Ophelia be the most affecting, Madge Wildfire was the most provoking.

The procurator-fiscal was in despair. "I'll take some measures with this d—d Bess of Bedlam," said he, "that shall make her find her tongue."

"Wi' your favour, sir," said Ratcliffe, "better let her mind settle a little—Ye have aye made out something."

"True," said the official person; "a brown short-gown, mutch, red rokelay—that agrees with your Madge Wildfire, Mr. Butler?" Butler agreed that it did so. "Yes, there was a sufficient motive for taking this crazy creature's dress and name, while he was about such a job."

"And I am free to say *now*," said Ratcliffe——

"When you see it has come out without you," interrupted Sharpitlaw.

"Just sae, sir," reiterated Ratcliffe. "I am free to say now, since it's come out otherwise, that these were the clothes I saw Robertson wearing last night in the jail, when he was at the head of the rioters."

"That's direct evidence," said Sharpitlaw; "stick to that, Rat—I will report favourably of you to the provost, for I have business for you to-night. It wears late; I must home and get a snack, and I'll be back in the evening. Keep Madge with you, Ratcliffe, and try to get her into a good tune again." So saying he left the prison.

CHAPTER XVII.

> And some they whistled—and some they sang,
> And some did loudly say,
> Whenever Lord Barnard's horn it blew,
> "Away, Musgrave away!"
>
> BALLAD OF LITTLE MUSGRAVE.

WHEN the man of office returned to the Heart of Mid-Lothian, he resumed his conference with Ratcliffe, of whose experience and assistance he now held himself secure. "You must speak with this wench, Rat—this Effie Deans—you must sift her a wee bit; for as sure as a tether she will ken Robertson's haunts—till her, Rat—till her without delay."

"Craving your pardon, Mr. Sharpitlaw," said the turnkey elect, "that's what I am not free to do."

"Free to do, man? what the deil ails ye now?—I thought we had settled a' that?"

"I dinna ken, sir," said Ratcliffe; "I hae spoken to this Effie—she's strange to this place and to its ways, and to a' our ways, Mr. Sharpitlaw; and she greets, the silly tawpie, and she's breaking her heart already about this wild chield; and were she the means o' taking him, she wad break it outright."

"She wunna hae time, lad," said Sharpitlaw; "the woodie will hae its ain o' her before that—a woman's heart takes a lang time o' breaking."

"That's according to the stuff they are made o', sir,"

replied Ratcliffe—"But to make a lang tale short, I canna undertake the job. It gangs against my conscience."

"*Your* conscience, Rat?" said Sharpitlaw, with a sneer, which the reader will probably think very natural upon the occasion.

"Ou ay, sir," answered Ratcliffe, calmly, "just *my* conscience; a'body has a conscience, though it may be ill wunnin at it. I think mine's as weel out o' the gate as maist folk's are; and yet its just like the noop of my elbow, it whiles gets a bit dirl on a corner."

"Weel, Rat," replied Sharpitlaw, "since ye are nice, I'll speak to the hussy mysell."

Sharpitlaw, accordingly, caused himself to be introduced into the little dark apartment tenanted by the unfortunate Effie Deans. The poor girl was seated on her little flock-bed, plunged in a deep reverie. Some food stood on the table, of a quality better than is usually supplied to prisoners, but it was untouched. The person under whose care she was more particularly placed said, "that sometimes she tasted naething from the tae end of the four-and-twenty hours to the t'other, except a drink of water."

Sharpitlaw took a chair, and, commanding the turnkey to retire, he opened the conversation, endeavouring to throw into his tone and countenance as much commiseration as they were capable of expressing, for the one was sharp and harsh, the other sly, acute, and selfish.

"How's a' wi' ye, Effie?—How d'ye find yoursell, hinny?"

A deep sigh was the only answer.

"Are the folk civil to ye, Effie?—it's my duty to inquire."

"Very civil, sir," said Effie, compelling herself to answer, yet hardly knowing what she said.

"And your victuals," continued Sharpitlaw, in the same condoling tone—"do you get what you like?—or is there ony thing you would particularly fancy, as your health seems but silly?"

"It's a' very weel, sir, I thank ye," said the poor prisoner, in a tone how different from the sportive vivacity of those of the Lily of St. Leonard's!—"it's a' very gude—ower gude for me."

"He must have been a great villain, Effie, who brought you to this pass," said Sharpitlaw.

The remark was dictated partly by a natural feeling, of which even he could not divest himself, though accustomed to practise on the passions of others, and keep a most heedful guard over his own, and partly by his wish to introduce the sort of conversation which might best serve his immediate purpose. Indeed, upon the present occasion, these mixed motives of feeling and cunning harmonized together wonderfully; for, said Sharpitlaw to himself, the greater rogue Robertson is, the more will be the merit of bringing him to justice. "He must have been a great villain, indeed," he again reiterated; "and I wish I had the skelping o' him."

"I may blame mysell mair than him," said Effie; "I was bred up to ken better; but he, poor fellow,"——(she stopped.)

"Was a thorough blackguard a' his life, I dare say," said Sharpitlaw. "A stranger he was in this country, and a companion of that lawless vagabond, Wilson, I think, Effie?"

"It wad hae been dearly telling him that he had ne'er seen Wilson's face."

"That's very true that you are saying, Effie," said Sharpitlaw. "Where was't that Robertson and you were used to howff thegither? Somegate about the Laigh Calton, I am thinking."

The simple and dispirited girl had thus far followed Mr. Sharpitlaw's lead, because he had artfully adjusted his observations to the thoughts he was pretty certain must be passing through her own mind, so that her answers became a kind of thinking aloud, a mood into which those who are either constitutionally absent in mind, or are rendered so by the temporary pressure of misfortune, may be easily led by a skilful train of suggestions. But the last observation of the procurator-fiscal was too much of the nature of a direct interrogatory, and it broke the charm accordingly.

"What was it that I was saying?" said Effie, starting up from her reclining posture, seating herself upright, and hastily shading her dishevelled hair back from her wasted but still beautiful countenance. She fixed her eyes boldly and keenly upon Sharpitlaw. "You are too much of a gentleman, sir,—too much of an honest man, to take any notice of what a poor creature like me says, that can hardly ca' my senses my ain—God help me!"

"Advantage!—I would be of some advantage to you if I could," said Sharpitlaw, in a soothing tone; "and I ken naething sae likely to serve ye, Effie, as gripping this rascal, Robertson."

"O dinna misca' him, sir, that never misca'd you!—Robertson?—I am sure I had naething to say against ony man o' the name, and naething will I say."

"But if you do not heed your own misfortune, Effie, you should mind what distress he has brought on your family," said the man of law.

"O, Heaven help me!" exclaimed poor Effie—"My poor father—my dear Jeanie—O, that's sairest to bide of a'! O, sir, if you hae ony kindness—if ye hae ony touch of compassion—for a' the folk I see here are as hard as the wa'-stanes—If ye wad but bid them let my sister Jeanie in the next time she ca's! for when I hear them put her awa frae the door, and canna climb up to that high window to see sae muckle as her gown-tail, it's like to pit me out o' my judgment." And she looked on him with a face of entreaty so earnest, yet so humble, that she fairly shook the steadfast purpose of his mind.

"You shall see your sister," he began, "if you'll tell me,"—then interrupting himself, he added, in a more hurried tone,—"no, d—n it, you shall see your sister whether you tell me any thing or no." So saying, he rose up and left the apartment.

When he had rejoined Ratcliffe, he observed, "You are right, Ratton; there's no making much of that lassie. But ae thing I have cleared—that is, that Robertson has been the father of the bairn, and so I will wager a boddle it will be he that's to meet wi' Jeanie Deans this night at Muschat's Cairn, and there we'll nail him, Rat, or my name is not Gideon Sharpitlaw."

"But," said Ratcliffe, perhaps because he was in no hurry to see anything which was like to be connected with the discovery and apprehension of Robertson, "an that were the case, Mr. Butler wad hae kend the man in the King's Park to be the same person wi' him in Madge Wildfire's claise, that headed the mob."

"That makes nae difference, man," replied Sharpitlaw —"the dress, the light, the confusion, and maybe a touch o' a blackit cork, or a slake o' paint—hout, Ratton, I have

seen ye dress your ainsell, that the deevil ye belang to durstna hae made oath t'ye."

"And that's true, too," said Ratcliffe.

"And besides, ye donnard carle," continued Sharpitlaw, triumphantly, "the minister *did* say that he thought he knew something of the features of the birkie that spoke to him in the Park, though he could not charge his memory where or when he had seen them."

"It's evident, then, your honour will be right," said Ratcliffe.

"Then, Rat, you and I will go with the party oursells this night, and see him in grips, or we are done wi' him."

"I seena muckle use I can be o' to your honour," said Ratcliffe, reluctantly.

"Use?" answered Sharpitlaw—"You can guide the party—you ken the ground. Besides, I do not intend to quit sight o' you, my good friend, till I have him in hand."

"Weel, sir," said Ratcliffe, but in no joyful tone of acquiescence; "Ye maun hae it your ain way—but mind he's a desperate man."

"We shall have that with us," answered Sharpitlaw, "that will settle him, if it is necessary."

"But, sir," answered Ratcliffe, "I am sure I couldna undertake to guide you to Muschat's Cairn in the night-time; I ken the place, as mony does, in fair day-light, but how to find it by moonshine, amang sae mony crags and stanes, as like to each other as the collier to the deil, is mair than I can tell. I might as soon seek moonshine in water."

"What's the meaning o' this, Ratcliffe?" said Sharpitlaw, while he fixed his eye on the recusant, with a fatal and ominous expression,—"Have you forgotten that you are still under sentence of death?"

"No, sir," said Ratcliffe, "that's a thing no easily put out o' memory; and if my presence be judged necessary, nae doubt I maun gang wi' your honour. But I was gaun to tell your honour of ane that has mair skeel o' the gate than me, and that's e'en Madge Wildfire."

"The devil she has!—Do you think me as mad as she is, to trust to her guidance on such an occasion?"

"Your honour is the best judge," answered Ratcliffe; "but I ken I can keep her in tune, and garr her haud the straight path—she often sleeps out, or rambles about amang thae hills the haill simmer night, the daft limmer."

"Weel, Ratcliffe," replied the procurator-fiscal, "if you think she can guide us the right way—but take heed to what you are about—your life depends on your behaviour."

"It's a sair judgment on a man," said Ratcliffe, "when he has ance gane sae far wrang as I hae done, that deil a bit he can be honest, try't whilk way he will."

Such was the reflection of Ratcliffe, when he was left for a few minutes to himself, while the retainer of justice went to procure a proper warrant, and give the necessary directions.

The rising moon saw the whole party free from the walls of the city, and entering upon the open ground. Arthur's Seat, like a couchant lion of immense size—Salisbury Crags, like a huge belt or girdle of granite, were dimly visible. Holding their path along the southern side of the Canongate, they gained the Abbey of Holyroodhouse, and from thence found their way by step and stile into the King's Park. They were at first four in number—an officer of justice and Sharpitlaw, who were well armed with pistols and cutlasses; Ratcliffe, who was not trusted with weapons, lest he might, peradventure,

have used them on the wrong side; and the female. But at the last stile, when they entered the Chase, they were joined by other two officers, whom Sharpitlaw, desirous to secure sufficient force for his purpose, and at the same time to avoid observation, had directed to wait for him at this place. Ratcliffe saw this accession of strength with some disquietude, for he had hitherto thought it likely that Robertson, who was a bold, stout, and active young fellow, might have made his escape from Sharpitlaw and the single officer, by force or agility, without his being implicated in the matter. But the present strength of the followers of justice was overpowering, and the only mode of saving Robertson, (which the old sinner was well disposed to do, providing always he could accomplish his purpose without compromising his own safety,) must be by contriving that he should have some signal of their approach. It was probably with this view that Ratcliffe had requested the addition of Madge to the party, having considerable confidence in her propensity to exert her lungs. Indeed, she had already given them so many specimens of her clamorous loquacity, that Sharpitlaw half determined to send her back with one of the officers, rather than carry forward in his company a person so extremely ill qualified to be a guide in a secret expedition. It seemed, too, as if the open air, the approach to the hills, and the ascent of the moon, supposed to be so portentous over those whose brain is infirm, made her spirits rise in a degree tenfold more loquacious than she had hitherto exhibited. To silence her by fair means seemed impossible; authoritative commands and coaxing entreaties she set alike at defiance, and threats only made her sulky and altogether intractable.

"Is there no one of you," said Sharpitlaw, impa-

tiently, "that knows the way to this accursed place—this Nichol Muschat's Cairn—excepting this mad clavering idiot?"

"Deil ane o' them kens it, except mysell," exclaimed Madge; "how suld they, the pure fule cowards! But I hae sat on the grave frae batfleeing time till cock-crow, and had mony a fine crack wi' Muschat and Ailie Muschat, that are lying sleeping below."

"The devil take your crazy brain," said Sharpitlaw; "will you not allow the men to answer a question?"

The officers obtaining a moment's audience while Ratcliffe diverted Madge's attention, declared that, though they had a general knowledge of the spot, they could not undertake to guide the party to it by the uncertain light of the moon, with such accuracy as to ensure success to their expedition.

"What shall we do, Ratcliffe?" said Sharpitlaw; "if he sees us before we see him,—and that's what he is certain to do, if we go strolling about, without keeping the straight road,—we may bid gude-day to the job; and I would rather lose one hundred pounds, baith for the credit of the police, and because the Provost says somebody maun be hanged for this job o' Porteous, come o't what likes."

"I think," said Ratcliffe, "we maun just try Madge; and I'll see if I can get her keepit in ony better order. And at ony rate, if he suld hear her skirling her auld ends o' sangs, he's no to ken for that that there's ony body wi' her."

"That's true," said Sharpitlaw; "and if he thinks her alone, he's as like to come towards her as to rin frae her. So set forward—we hae lost ower muckle time already—see to get her to keep the right road."

"And what sort o' house does Nichol Muschat and his wife keep now?" said Ratcliffe to the madwoman, by way of humouring her vein of folly; "they were but thrawn folk lang syne, an a' tales be true."

"Ou, ay, ay, ay—but a's forgotten now," replied Madge, in the confidential tone of a gossip giving the history of her next-door neighbour—"Ye see, I spoke to them mysell, and tauld them byganes suld be byganes—her throat's sair misguggled and mashackered though; she wears her corpse-sheet drawn weel up to hide it, but that canna hinder the bluid seiping through, ye ken. I wussed her to wash it in St. Anthony's Well, and that will cleanse if onything can—But they say bluid never bleaches out o' linen claith—Deacon Sanders's new cleansing draps winna do't—I tried them mysell on a bit rag we hae at hame that was mailed wi' the bluid of a bit skirling wean that was hurt some gate, but out it winna come—Weel, ye'll say that's queer; but I will bring it out to St. Anthony's blessed Well some braw night just like this, and I'll cry up Ailie Muschat, and she and I will hae a grand bouking-washing, and bleach our claise in the beams of the bonny Lady Moon, that's far pleasanter to me than the sun—the sun's ower het, and ken ye, cummers, my brains are het eneugh already. But the moon, and the dew, and the night-wind, they are just like a callar kail-blade laid on my brow; and whiles I think the moon just shines on purpose to pleasure me, when naebody sees her but mysell."

This raving discourse she continued with prodigious volubility, walking on at a great pace, and dragging Ratcliffe along with her, while he endeavoured, in appearance at least, if not in reality, to induce her to moderate her voice.

All at once, she stopped short upon the top of a little hillock, gazed upward fixedly, and said not one word for the space of five minutes. "What the devil is the matter with her now?" said Sharpitlaw to Ratcliffe—"Can you not get her forward?"

"Ye maun just take a grain o' patience wi' her, sir," said Ratcliffe. "She'll no gae a foot faster than she likes hersell."

"D—n her," said Sharpitlaw, "I'll take care she has her time in Bedlam or Bridewell, or both, for she's both mad and mischievous."

In the meanwhile, Madge, who had looked very pensive when she first stopped, suddenly burst into a vehement fit of laughter, then paused and sighed bitterly,—then was seized with a second fit of laughter—then, fixing her eyes on the moon, lifted up her voice and sung,—

> "Good even, good fair moon, good even to thee;
> I prithee, dear moon, now show to me
> The form and the features, the speech and degree,
> Of the man that true lover of mine shall be.

But I need not ask that of the bonny Lady Moon—I ken that weel eneugh mysell—*true*-love though he wasna—But naebody shall sae that I ever tauld a word about the matter—But whiles I wish the bairn had lived—Weel, God guide us, there's a heaven aboon us a',"—(here she sighed bitterly,) "and a bonny moon, and sterns in it forby," (and here she laughed once more.)

"Are we to stand here all night?" said Sharpitlaw, very impatiently. "Drag her forward."

"Ay, sir," said Ratcliffe, "if we kend whilk way to drag her, that would settle it at ance.—Come, Madge, hinny," addressing her, "we'll no be in time to see Nichol and his wife, unless ye show us the road."

"In troth and that I will, Ratton," said she, seizing him by the arm, and resuming her route with huge strides, considering it was a female who took them. "And I'll tell ye, Ratton, blithe will Nichol Muschat be to see ye, for he says he kens weel there isna sic a villain out o' hell as ye are, and he wad be ravished to hae a crack wi' you—like to like, ye ken—it's a proverb never fails—and ye are baith a pair o' the deevil's peats, I trow—hard to ken whilk deserves the hettest corner o' his ingle-side."

Ratcliffe was conscience-struck, and could not forbear making an involuntary protest against this classification. "I never shed blood," he replied.

"But ye hae sauld it, Ratton—ye hae sauld blood mony a time. Folk kill wi' the tongue as weel as wi' the hand—wi' the word as weel as wi' the gulley!—

"It is the bonny butcher lad,
That wears the sleeves of blue,
He sells the flesh on Saturday,
On Friday that he slew."

"And what is that I am doing now?" thought Ratcliffe. "But I'll hae nae wyte of Robertson's young bluid, if I can help it;" then speaking apart to Madge, he asked her, "Whether she did not remember ony o' her auld sangs?"

"Mony a dainty ane," said Madge; "and blithely can I sing them, for lightsome sangs make merry gate." And she sang,—

"When the glede's in the blue cloud,
The lavrock lies still;
When the hound's in the greenwood,
The hind keeps the hill."

"Silence her cursed noise, if you should throttle her,"

said Sharpitlaw; "I see somebody yonder.—Keep close, my boys, and creep round the shoulder of the height. George Poinder, stay you with Ratcliffe and that mad yelling bitch; and you other two, come with me round under the shadow of the brae."

And he crept forward with the stealthy pace of an Indian savage, who leads his band to surprise an unsuspecting party of some hostile tribe. Ratcliffe saw them glide off, avoiding the moonlight, and keeping as much in the shade as possible. "Robertson's done up," said he to himself; "thae young lads are aye sae thoughtless. What deevil could he hae to say to Jeanie Deans, or to ony woman on earth, that he suld gang awa and get his neck raxed for her? And this mad quean, after cracking like a pen-gun, and skirling like a pea-hen for the haill night, behoves just to hae hadden her tongue when her clavers might have done some gude! But it's aye the way wi' women; if they ever haud their tongues ava', ye may swear it's for mischief. I wish I could set her on again without this blood-sucker kenning what I am doing. But he's as gleg as MacKeachan's elshin, that ran through sax plies of bendleather and half an inch into the king's heel."

He then began to hum, but in a very low and suppressed tone, the first stanza of a favourite ballad of Wildfire's, the words of which bore some distant analogy with the situation of Robertson, trusting that the power of association would not fail to bring the rest to her mind:

> "There's a bloodhound ranging Tinwald wood,
> There's harness glancing sheen:
> There's a maiden sits on Tinwald brae,
> And she sings loud between."

Madge had no sooner received the catch-word, than

she vindicated Ratcliffe's sagacity by setting off at score with the song:—

> "O sleep ye sound, Sir James, she said,
> When ye suld rise and ride?
> There's twenty men, wi' bow and blade,
> Are seeking where ye hide."

Though Ratcliffe was at a considerable distance from the spot called Muschat's Cairn, yet his eyes, practised like those of a cat to penetrate darkness, could mark that Robertson had caught the alarm. George Poinder, less keen of sight, or less attentive, was not aware of his flight any more than Sharpitlaw and his assistants, whose view, though they were considerably nearer to the cairn, was intercepted by the broken nature of the ground under which they were screening themselves. At length, however, after the interval of five or six minutes, they also perceived that Robertson had fled, and rushed hastily towards the place, while Sharpitlaw called out aloud, in the harshest tones of a voice which resembled a saw-mill at work, "Chase, lads—chase—haud the brae—I see him on the edge of the hill!" Then hollowing back to the rear guard of his detachment, he issued his farther orders: "Ratcliffe, come here, and detain the woman—George, run and kepp the stile at the Duke's Walk—Ratcliffe, come here directly—but first knock out that mad bitch's brains!"

"Ye had better rin for it, Madge," said Ratcliffe, "for it's ill dealing wi' an angry man."

Madge Wildfire was not so absolutely void of common sense as not to understand this innuendo; and while Ratcliffe, in seemingly anxious haste of obedience, hastened to the spot where Sharpitlaw waited to deliver up Jeanie Deans to his custody, she fled with all the

despatch she could exert in an opposite direction. Thus the whole party were separated, and in rapid motion of flight or pursuit, excepting Ratcliffe and Jeanie, whom, although making no attempt to escape, he held fast by the cloak, and who remained standing by Muschat's Cairn.

CHAPTER XVIII.

You have paid the heavens your function, and the prisoner the very debt of your calling.

MEASURE FOR MEASURE.

JEANIE DEANS,—for here our story unites itself with that part of the narrative which broke off at the end of the fifteenth chapter,—while she waited, in terror and amazement, the hasty advance of three or four men towards her, was yet more startled at their suddenly breaking asunder, and giving chase in different directions to the late object of her terror, who became at that moment, though she could not well assign a reasonable cause, rather the cause of her interest. One of the party (it was Sharpitlaw) came straight up to her, and saying, "Your name is Jeanie Deans, and you are my prisoner," immediately added, "but if you will tell me which way he ran I will let you go."

"I dinna ken, sir," was all the poor girl could utter; and, indeed, it is the phrase which rises most readily to the lips of any person in her rank, as the readiest reply to any embarrassing question.

"But," said Sharpitlaw, "ye *ken* wha it was ye were speaking wi', my leddy, on the hill side, and midnight sae near; ye surely ken *that*, my bonny woman?"

"I dinna ken, sir," again iterated Jeanie, who really did not comprehend in her terror the nature of the ques-

tions which were so hastily put to her in this moment of surprise.

"We will try to mend your memory by and by, hinny," said Sharpitlaw, and shouted, as we have already told the reader, to Ratcliffe, to come up and take charge of her, while he himself directed the chase after Robertson, which he still hoped might be successful. As Ratcliffe approached, Sharpitlaw pushed the young woman towards him with some rudeness, and betaking himself to the more important object of his quest, began to scale crags and scramble up steep banks, with an agility of which his profession and his general gravity of demeanour would previously have argued him incapable. In a few minutes there was no one within sight, and only a distant halloo from one of the pursuers to the other, faintly heard on the side of the hill, argued that there was any one within hearing. Jeanie Deans was left in the clear moonlight, standing under the guard of a person of whom she knew nothing, and, what was worse, concerning whom, as the reader is well aware, she could have learned nothing that would not have increased her terror.

When all in the distance was silent, Ratcliffe for the first time addressed her, and it was in that cold, sarcastic, indifferent tone familiar to habitual depravity, whose crimes are instigated by custom rather than by passion. "This is a braw night for ye, dearie," he said, attempting to pass his arm across her shoulder, "to be on the green hill wi' your jo." Jeanie extricated herself from his grasp, but did not make any reply. "I think lads and lasses," continued the ruffian, "dinna meet at Muschat's Cairn at midnight to crack nuts," and he again attempted to take hold of her.

"If ye are an officer of justice, sir," said Jeanie, again

eluding his attempt to seize her, "ye deserve to have your coat stripped from your back."

"Very true, hinny," said he, succeeding forcibly in his attempt to get hold of her, "but suppose I should strip your cloak off first?"

"Ye are more a man, I am sure, than to hurt me, sir," said Jeanie; "for God's sake have pity on a half-distracted creature!"

"Come, come," said Ratcliffe, "you're a good-looking wench, and should not be cross-grained. I was going to be an honest man—but the devil has this very day flung first a lawyer, and then a woman, in my gate. I'll tell you what, Jeanie, they are out on the hill-side—if you'll be guided by me, I'll carry you to a wee bit corner in the Pleasance, that I ken o' in an auld wife's, that a' the prokitors o' Scotland wot naething o', and we'll send Robertson word to meet us in Yorkshire, for there is a set o' braw lads about the midland counties, that I hae dune business wi' before now, and sae we'll leave Mr. Sharpitlaw to whistle on his thumb."

It was fortunate for Jeanie, in an emergency like the present, that she possessed presence of mind and courage, so soon as the first hurry of surprise had enabled her to rally her recollection. She saw the risk she was in from a ruffian, who not only was such by profession, but had that evening been stupefying, by means of strong liquors, the internal aversion which he felt at the business on which Sharpitlaw had resolved to employ him.

"Dinna speak sae loud," said she, in a low voice; "he's up yonder."

"Who?—Robertson?" said Ratcliffe, eagerly.

"Ay," replied Jeanie; "up yonder;" and she pointed to the ruins of the hermitage and chapel.

"By G—d, then," said Ratcliffe, "I'll make my ain of him, either one way or other—wait for me here."

But no sooner had he set off, as fast as he could run, towards the chapel, than Jeanie started in an opposite direction, over high and low, on the nearest path homeward. Her juvenile exercise as a herdswoman had put "life and mettle" in her heels, and never had she followed Dustiefoot, when the cows were in the corn, with half so much speed as she now cleared the distance betwixt Muschat's Cairn and her father's cottage at Saint Leonard's. To lift the latch—to enter—to shut, bolt, and double bolt the door—to draw against it a heavy article of furniture, (which she could not have moved in a moment of less energy,) so as to make yet farther provision against violence, was almost the work of a moment, yet done with such silence as equalled the celerity.

Her next anxiety was upon her father's account, and she drew silently to the door of his apartment, in order to satisfy herself whether he had been disturbed by her return. He was awake,—probably had slept but little; but the constant presence of his own sorrows, the distance of his apartment from the outer-door of the house, and the precautions which Jeanie had taken to conceal her departure and return, had prevented him from being sensible of either. He was engaged in his devotions, and Jeanie could distinctly hear him use these words:—"And for the other child thou hast given me to be a comfort and stay to my old age, may her days be long in the land, according to the promise thou hast given to those who shall honour father and mother; may all her purchased and promised blessings be multiplied upon her; keep her in the watches of the night, and in the uprising of the morning, that all in this land may know that thou

hast not utterly hid thy face from those that seek thee in truth and in sincerity." He was silent, but probably continued his petition in the strong fervency of mental devotion.

His daughter retired to her apartment, comforted, that while she was exposed to danger, her head had been covered by the prayers of the just as by an helmet, and under the strong confidence, that while she walked worthy of the protection of Heaven, she would experience its countenance. It was in that moment that a vague idea first darted across her mind, that something might yet be achieved for her sister's safety, conscious as she now was of her innocence of the unnatural murder with which she stood charged. It came, as she described it, on her mind, like a sun-blink on a stormy sea; and although it instantly vanished, yet she felt a degree of composure which she had not experienced for many days, and could not help being strongly persuaded that, by some means or other, she would be called upon, and directed, to work out her sister's deliverance. She went to bed, not forgetting her usual devotions, the more fervently made on account of her late deliverance, and she slept soundly in spite of her agitation.

We must return to Ratcliffe, who had started, like a greyhound from the slips when the sportsman cries halloo, as soon as Jeanie had pointed to the ruins. Whether he meant to aid Robertson's escape, or to assist his pursuers, may be very doubtful; perhaps he did not himself know, but had resolved to be guided by circumstances. He had no opportunity, however, of doing either; for he had no sooner surmounted the steep ascent, and entered under the broken arches of the ruins, than a pistol was presented at his head, and a harsh voice

commanded him, in the king's name, to surrender himself prisoner. "Mr. Sharpitlaw!" said Ratcliffe, surprised, "is this your honour?"

"Is it only you, and be d—d to you?" answered the fiscal, still more disappointed—"what made you leave the woman?"

"She told me she saw Robertson go into the ruins, so I made what haste I could to cleek the callant."

"It's all over now," said Sharpitlaw; "we shall see no more of him to-night; but he shall hide himself in a bean-hool, if he remains on Scottish ground without my finding him. Call back the people, Ratcliffe."

Ratcliffe hollowed to the dispersed officers, who willingly obeyed the signal; for probably there was no individual among them who would have been much desirous of a rencontre, hand to hand, and at a distance from his comrades, with such an active and desperate fellow as Robertson.

"And where are the two women?" said Sharpitlaw.

"Both made their heels serve them, I suspect," replied Ratcliffe, and he hummed the end of the old song—

> "Then hey play up the rin-awa bride,
> For she has taen the gee."

"One woman," said Sharpitlaw,—for, like all rogues, he was a great calumniator of the fair sex,*—"one

* The journal of Graves, a Bow Street officer, despatched to Holland to obtain the surrender of the unfortunate William Brodie, bears a reflection on the ladies somewhat like that put in the mouth of the police-officer Sharpitlaw. It had been found difficult to identify the unhappy criminal; and when a Scotch gentleman of respectability had seemed disposed to give evidence on the point required, his son-in-law, a clergyman in Amsterdam, and his daughter, were suspected by Graves to have used arguments with the witness to dissuade him from

woman is enough to dark the fairest ploy that ever was planned; and how could I be such an ass as to expect to carry through a job that had two in it? But we know how to come by them both, if they are wanted, that's one good thing."

Accordingly, like a defeated general, sad and sulky, he led back his discomfited forces to the metropolis, and dismissed them for the night.

The next morning early, he was under the necessity of making his report to the sitting magistrate of the day. The gentleman who occupied the chair of office on this occasion (for the bailies, *Anglicè*, aldermen, take it by rotation) chanced to be the same by whom Butler was committed, a person very generally respected among his fellow-citizens. Something he was of a humourist, and rather deficient in general education; but acute, patient, and upright, possessed of a fortune acquired by honest industry, which made him perfectly independent; and, in short, very happily qualified to support the respectability of the office which he held.

Mr. Middleburgh had just taken his seat, and was debating in an animated manner, with one of his colleagues, the doubtful chances of a game at golf which they had played the day before, when a letter was delivered to him, addressed "For Bailie Middleburgh; These: to be forwarded with speed." It contained these words:—

giving his testimony. On which subject the journal of the Bow Street officer proceeds thus:—

"Saw then a manifest reluctance in Mr. ——, and had no doubt the daughter and parson would endeavour to persuade him to decline troubling himself in the matter, but judged he could not go back from what he had said to Mr. Rich.—Nota Bene. *No mischief but a woman or a priest in it*—here both."

"Sir,—I know you to be a sensible and a considerate magistrate, and one who, as such, will be content to worship God, though the devil bid you. I therefore expect that, notwithstanding the signature of this letter acknowledges my share in an action, which, in a proper time and place, I would not fear either to avow or to justify, you will not on that account reject what evidence I place before you. The clergyman, Butler, is innocent of all but involuntary presence at an action which he wanted spirit to approve of, and from which he endeavoured, with his best set phrases, to dissuade us. But it was not for him that it is my hint to speak. There is a woman in your jail, fallen under the edge of a law so cruel, that it has hung by the wall, like unscoured armour, for twenty years, and is now brought down and whetted to spill the blood of the most beautiful and most innocent creature whom the walls of a prison ever girdled in. Her sister knows of her innocence, as she communicated to her that she was betrayed by a villain.—O that high Heaven

> Would put in every honest hand a whip,
> To scourge me such a villain through the world!

"I write distractedly—But this girl—this Jeanie Deans, is a peevish puritan, superstitious and scrupulous after the manner of her sect; and I pray your honour, for so my phrase must go, to press upon her, that her sister's life depends upon her testimony. But though she should remain silent, do not dare to think that the young woman is guilty—far less to permit her execution. Remember the death of Wilson was fearfully avenged; and those yet live who can compel you to drink the dregs of your poisoned chalice.—I say, remember Porteous,—and say that you had good counsel from

"One of his Slayers."

The magistrate read over this extraordinary letter twice or thrice. At first he was tempted to throw it aside as the production of a madman, so little did "the scraps from play-books," as he termed the poetical quotation, resemble the correspondence of a rational being. On a re-perusal, however, he thought that, amid its incoherence, he could discover something like a tone of awakened passion, though expressed in a manner quaint and unusual.

"It is a cruelly severe statute," said the magistrate to his assistant, "and I wish the girl could be taken from under the letter of it. A child may have been born, and it may have been conveyed away while the mother was insensible, or it may have perished for want of that relief which the poor creature herself—helpless, terrified, distracted, despairing, and exhausted—may have been unable to afford to it. And yet it is certain, if the woman is found guilty under the statute, execution will follow. The crime has been too common, and examples are necessary."

"But if this other wench," said the city-clerk, "can speak to her sister communicating her situation, it will take the case from under the statute."

"Very true," replied the Bailie; "and I will walk out one of these days to St. Leonard's, and examine the girl myself. I know something of their father Deans—an old true-blue Cameronian, who would see house and family go to wreck ere he would disgrace his testimony by a sinful complying with the defections of the times; and such he will probably uphold the taking an oath before a civil magistrate. If they are to go on and flourish with their bull-headed obstinacy, the legislature must pass an act to take their affirmations, as in the case of

Quakers. But surely neither a father nor a sister will scruple in a case of this kind. As I said before, I will go speak with them myself, when the hurry of this Porteous investigation is somewhat over; their pride and spirit of contradiction will be far less alarmed, than if they were called into a court of justice at once."

"And I suppose Butler is to remain incarcerated?" said the city clerk.

"For the present, certainly," said the magistrate. "But I hope soon to set him at liberty upon bail."

"Do you rest upon the testimony of that light-headed letter?" asked the clerk.

"Not very much," answered the Bailie; "and yet there is something striking about it too—it seems the letter of a man beside himself, either from great agitation, or some great sense of guilt."

"Yes," said the town-clerk, "it is very like the letter of a mad strolling play-actor, who deserves to be hanged with all the rest of his gang, as your honour justly observes."

"I was not quite so bloodthirsty," continued the magistrate. "But to the point, Butler's private character is excellent; and I am given to understand, by some inquiries I have been making this morning, that he did actually arrive in town only the day before yesterday, so that it was impossible he could have been concerned in any previous machinations of these unhappy rioters, and it is not likely that he should have joined them on a suddenty."

"There's no saying anent that—zeal catches fire at a slight spark as fast as a brunstane match," observed the secretary. "I hae kend a minister wad be fair gude-day and fair gude-e'en wi' ilka man in the parochine, and

hing just as quiet as a rocket on a stick, till ye mentioned the word abjuration-oath, or patronage, or siclike, and then, whiz, he was off, and up in the air an hundred miles beyond common manners, common sense, and common comprehension."

"I do not understand," answered the burgher-magistrate, "that the young man Butler's zeal is of so inflammable a character. But I will make farther investigation. What other business is there before us?"

And they proceeded to minute investigations concerning the affair of Porteous's death, and other affairs through which this history has no occasion to trace them.

In the course of their business they were interrupted by an old woman of the lower rank, extremely haggard in look, and wretched in her appearance, who thrust herself into the council room.

"What do you want, gudewife?—Who are you?" said Bailie Middleburgh.

"What do I want!" replied she, in a sulky tone—"I want my bairn, or I want naething fra nane o' ye, for as grand's ye are." And she went on muttering to herself with the wayward spitefulness of age—"They maun hae lordships and honours, nae doubt—set them up, the gutter-bloods! and deil a gentleman amang them."—Then again addressing the sitting magistrate, "Will *your honour* gie me back my puir crazy bairn?—*His* honour!—I hae kend the day when less wad ser'd him, the oe of a Campvere skipper."

"Good woman," said the magistrate to this shrewish supplicant,—"tell us what it is you want, and do not interrupt the court."

"That's as muckle as till say, Bark, Bawtie, and be

dune wi't!—I tell ye," raising her termagant voice, "I want my bairn! is na that braid Scots?"

"Who *are* you?—who is your bairn?" demanded the magistrate.

"Wha am I?—wha suld I be, but Meg Murdockson, and wha suld my bairn be but Magdalen Murdockson?—Your guard soldiers, and your constables, and your officers, ken us weel eneugh when they rive the bits o' duds aff our backs, and take what penny o' siller we hae, and harle us to the Correction-house in Leith Wynd, and pettle us up wi' bread and water, and siclike sunkets."

"Who is she?" said the magistrate, looking round to some of his people.

"Other than a gude ane, sir," said one of the city officers, shrugging his shoulders, and smiling.

"Will ye say sae?" said the termagant, her eye gleaming with impotent fury; "an I had ye amang the Frigate-Whins, wadna I set my ten talents in your wuzzent face for that very word?" and she suited the word to the action, by spreading out a set of claws resembling those of St. George's dragon on a country sign-post.

"What does she want here?" said the impatient magistrate—"Can she not tell her business, or go away?"

"It's my bairn!—it's Magdalen Murdockson I'm wantin'," answered the beldam, screaming at the highest pitch of her cracked and mistuned voice—"havena I been tellin' ye sae this half-hour? And if ye are deaf, what needs ye sit cockit up there, and keep folk scraughin' t'ye this gate?"

"She wants her daughter, sir," said the same officer whose interference had given the hag such offence before

—" her daughter, who was taken up last night—Madge Wildfire, as they ca' her."

" Madge HELLFIRE, as they ca' her!" echoed the beldam; " and what business has a blackguard like you to ca' an honest woman's bairn out o' her ain name!"

" An *honest* woman's bairn, Maggie?" answered the peace-officer, smiling and shaking his head with an ironical emphasis on the adjective, and a calmness calculated to provoke to madness the furious old shrew.

" If I am no honest now, I was honest ance," she replied; " and that's mair than ye can say, ye born and bred thief, that never kend ither folk's gear fra your ain since the day ye was cleckit. Honest, say ye?—ye pykit your mother's pouch o' twalpennies Scots when ye were five years auld, just as she was taking leave o' your father at the fit o' the gallows."

" She has you there, George," said the assistants, and there was a general laugh; for the wit was fitted for the meridian of the place where it was uttered. This general applause somewhat gratified the passions of the old hag; the " grim feature " smiled, and even laughed—but it was a laugh of bitter scorn. She condescended, however, as if appeased by the success of her sally to explain her business more distinctly, when the magistrate, commanding silence, again desired her either to speak out her errand, or to leave the place.

" Her bairn," she said, " *was* her bairn, and she came to fetch her out of ill haft and waur guiding. If she wasna sae wise as ither folk, few ither folk had suffered as muckle as she had done; forby that she could fend the waur for hersell within the four wa's of a jail. She could prove by fifty witnesses, and fifty to that, that her daughter had never seen Jock Porteous, alive or dead,

since he had gien her a loundering wi' his cane, the neger that he was! for driving a dead cat at the provost's wig on the Elector of Hanover's birth-day."

Notwithstanding the wretched appearance and violent demeanour of this woman, the magistrate felt the justice of her argument, that her child might be as dear to her as to a more fortunate and more amiable mother. He proceeded to investigate the circumstances which had led to Madge Murdockson's (or Wildfire's) arrest, and as it was clearly shown that she had not been engaged in the riot, he contented himself with directing that an eye should be kept upon her by the police, but that for the present she should be allowed to return home with her mother. During the interval of fetching Madge from the jail, the magistrate endeavoured to discover whether her mother had been privy to the change of dress betwixt that young woman and Robertson. But on this point he could obtain no light. She persisted in declaring, that she had never seen Robertson since his remarkable escape during service-time; and that, if her daughter had changed clothes with him, it must have been during her absence at a hamlet about two miles out of town, called Duddingstone, where she could prove that she passed that eventful night. And, in fact, one of the town-officers, who had been searching for stolen linen at the cottage of a washerwoman in that village, gave his evidence, that he had seen Maggie Murdockson there, whose presence had considerably increased his suspicion of the house in which she was a visitor, in respect that he considered her as a person of no good reputation.

"I tauld ye sae," said the hag; "see now what it is to hae a character, gude or bad!—Now, maybe, after a', I

could tell ye something about Porteous that you council-chamber bodies never could find out, for as muckle stir as ye mak."

All eyes were turned towards her—all ears were alert. "Speak out!" said the magistrate.

"It will be for your ain gude," insinuated the town-clerk.

"Dinna keep the Bailie waiting," urged the assistants.

She remained doggedly silent for two or three minutes, casting around a malignant and sulky glance, that seemed to enjoy the anxious suspense with which they waited her answer. And then she broke forth at once.—"A' that I ken about him is, that he was neither soldier nor gentleman, but just a thief and a blackguard, like maist o' yoursells, dears—What will ye gie me for that news, now?—He wad hae served the gude town lang or provost or bailie wad hae fund that out, my jo!"

While these matters were in discussion, Madge Wildfire entered, and her first exclamation was, "Eh! see if there isna our auld ne'er-do-weel deevil's-buckie o' a mither—Hegh, sirs! but we are a hopeful family, to be twa o' us in the Guard at ance—But there were better days wi' us ance—were there na, mither?"

Old Maggie's eyes had glistened with something like an expression of pleasure when she saw her daughter set at liberty. But either her natural affection, like that of the tigress, could not be displayed without a strain of ferocity, or there was something in the ideas which Madge's speech awakened, that again stirred her cross and savage temper. "What signifies what we were, ye street-raking limmer!" she exclaimed, pushing her daughter before her to the door, with no gentle degree of violence. "I'se tell thee what thou is now—thou's a

crazed hellicat Bess o' Bedlam, that sall taste naething but bread and water for a fortnight, to serve ye for the plague ye hae gien me—and ower gude for ye, ye idle taupie!"

Madge, however, escaped from her mother at the door, ran back to the foot of the table, dropped a very low and fantastic courtesy to the judge, and said, with a giggling laugh,—"Our minnie's sair mis-set, after her ordinar, sir—She'll hae had some quarrel wi' her auld gudeman—that's Satan, ye ken, sirs." This explanatory note she gave in a low confidential tone, and the spectators of that credulous generation did not hear it without an involuntary shudder. "The gudeman and her disna aye gree weel, and then I maun pay the piper; but my back's broad eneugh to bear't a'—an' if she hae nae havings, that's nae reason why wiser folk shouldna hae some." Here another deep courtesy, when the ungracious voice of her mother was heard.

"Madge, ye limmer! If I come to fetch ye!"

"Hear till her," said Madge. "But I'll wun out a gliff the night for a' that, to dance in the moonlight, when her and the gudeman will be whirrying through the blue lift on a broomshank, to see Jean Jap, that they hae putten intill the Kircaldy Tolbooth—ay, they will hae a merry sail ower Inchkeith, and ower a' the bits o' bonny waves that are poppling and plashing against the rocks in the gowden glimmer o' the moon, ye ken.—I'm coming, mother—I'm coming," she concluded, on hearing a scuffle at the door betwixt the beldam and the officers, who were endeavouring to prevent her re-entrance. Madge then waved her hand wildly towards the ceiling, and sung, at the topmost pitch of her voice,—

"Up in the air,
On my bonny grey mare,
And I see, and I see, and I see her yet;"

and with a hop, skip, and jump, sprung out of the room, as the witches of Macbeth used, in less refined days, to seem to fly upwards from the stage.

Some weeks intervened before Mr. Middleburgh, agreeably to his benevolent resolution, found an opportunity of taking a walk towards St. Leonard's, in order to discover whether it might be possible to obtain the evidence hinted at in the anonymous letter respecting Effie Deans.

In fact, the anxious perquisitions made to discover the murderers of Porteous occupied the attention of all concerned with the administration of justice.

In the course of these inquiries, two circumstances happened material to our story. Butler, after a close investigation of his conduct, was declared innocent of accession to the death of Porteous; but, as having been present during the whole transaction, was obliged to find bail not to quit his usual residence at Libberton, that he might appear as a witness when called upon. The other incident regarded the disappearance of Madge Wildfire and her mother from Edinburgh. When they were sought, with the purpose of subjecting them to some farther interrogatories, it was discovered by Mr. Sharpitlaw that they had eluded the observation of the police, and left the city so soon as dismissed from the council-chamber. No efforts could trace the place of their retreat.

In the meanwhile the excessive indignation of the Council of Regency, at the slight put upon their authority by the murder of Porteous, had dictated measures, in which their own extreme desire of detecting the actors in

that conspiracy were consulted, in preference to the temper of the people and the character of their churchmen. An act of parliament was hastily passed, offering two hundred pounds reward to those who should inform against any person concerned in the deed, and the penalty of death, by a very unusual and severe enactment, was denounced against those who should harbour the guilty. But what was chiefly accounted exceptionable, was a clause, appointing the act to be read in churches by the officiating clergyman, on the first Sunday of every month, for a certain period, immediately before the sermon. The ministers who should refuse to comply with this injunction were declared, for the first offence, incapable of sitting or voting in any church judicature, and for the second, incapable of holding any ecclesiastical preferment in Scotland.

This last order united in a common cause those who might privately rejoice in Porteous's death, though they dared not vindicate the manner of it, with the more scrupulous presbyterians, who held that even the pronouncing the name of the "Lords Spiritual" in a Scottish pulpit was, *quodammodo*, an acknowledgment of prelacy, and that the injunction of the legislature was an interference of the civil government with the *jus divinum* of presbytery, since to the General Assembly alone, as representing the invisible head of the kirk, belonged the sole and exclusive right of regulating whatever pertained to public worship. Very many also, of different political or religious sentiments, and therefore not much moved by these considerations, thought they saw, in so violent an act of parliament, a more vindictive spirit than became the legislature of a great country, and something like an attempt to trample upon the rights and independence of

Scotland. The various steps adopted for punishing the city of Edinburgh, by taking away her charter and liberties, for what a violent and overmastering mob had done within her walls, were resented by many, who thought a pretext was too hastily taken for degrading the ancient metropolis of Scotland. In short, there was much heart-burning, discontent, and disaffection, occasioned by these ill-considered measures.*

Amidst these heats and dissensions, the trial of Effie Deans, after she had been many weeks imprisoned, was at length about to be brought forward, and Mr. Middleburgh found leisure to inquire into the evidence concerning her. For this purpose, he chose a fine day for his walk towards her father's house.

The excursion into the country was somewhat distant, in the opinion of a burgess of those days, although many of the present inhabit suburban villas considerably beyond the spot to which we allude. Three quarters of an hour's walk, however, even at a pace of magisterial gravity, conducted our benevolent office-bearer to the Crags of St. Leonard's, and the humble mansion of David Deans.

The old man was seated on the deas, or turf-seat, at the end of his cottage, busied in mending his cart-harness with his own hands; for in those days any sort of labour

* The magistrates were closely interrogated before the House of Peers, concerning the particulars of the Porteous Mob, and the *patois* in which these functionaries made their answers, sounded strange in the ears of the Southern nobles. The Duke of Newcastle having demanded to know with what kind of shot the guard which Porteous commanded had loaded their muskets, was answered, naïvely, "Ow, just sic as ane shoots *dukes and fools* with." This reply was considered as a contempt of the House of Lords, and the Provost would have suffered accordingly, but that the Duke of Argyle explained, that the expression, properly rendered into English, meant *ducks and waterfowls.*

which required a little more skill than usual fell to the share of the goodman himself, and that even when he was well to pass in the world. With stern and austere gravity he persevered in his task, after having just raised his head to notice the advance of the stranger. It would have been impossible to have discovered, from his countenance and manner, the internal feelings of agony with which he contended. Mr. Middleburgh waited an instant, expecting Deans would in some measure acknowledge his presence, and lead into conversation; but, as he seemed determined to remain silent, he was himself obliged to speak first.

"My name is Middleburgh—Mr. James Middleburgh, one of the present magistrates of the city of Edinburgh."

"It may be sae," answered Deans laconically, and without interrupting his labour.

"You must understand," he continued, "that the duty of a magistrate is sometimes an unpleasant one."

"It may be sae," replied David; "I hae naething to say in the contrair;" and he was again doggedly silent.

"You must be aware," pursued the magistrate, "that persons in my situation are often obliged to make painful and disagreeable inquiries of individuals, merely because it is their bounden duty."

"It may be sae," again replied Deans; "I hae naething to say anent it, either the tae way or the t'other. But I do ken there was ance in a day a just and God-fearing magistracy in yon town o' Edinburgh, that did not bear the sword in vain, but were a terror to evil-doers, and a praise to such as kept the path. In the glorious days of auld worthy faithfu' Provost Dick,* when there was a

* This gentleman formed a striking example of the instability of human prosperity. He was once the wealthiest man of his time in

true and faithfu' General Assembly of the Kirk, walking hand in hand with the real noble Scottish-hearted barons, and with the magistrates of this and other towns, gentles, burgesses, and commons of all ranks, seeing with one eye, hearing with one ear, and upholding the ark with their united strength—And then folk might see men deliver up their silver to the state's use, as if it had been as muckle sclate stanes. My father saw them toom the sacks of dollars out o' Provost Dick's window intill the carts that carried them to the army at Dunse Law; and if ye winna believe his testimony, there is the window

Scotland, a merchant in an extensive line of commerce, and a farmer of the public revenue; insomuch that, about 1640, he estimated his fortune at two hundred thousand pounds sterling. Sir William Dick was a zealous Covenanter; and in the memorable year 1641, he lent the Scottish Convention of Estates one hundred thousand merks at once, and thereby enabled them to support and pay their army, which must otherwise have broken to pieces. He afterwards advanced £20,000 for the service of King Charles, during the usurpation; and having, by owning the royal cause, provoked the displeasure of the ruling party, he was fleeced of more money, amounting in all to £65,000 sterling.

Being in this manner reduced to indigence, he went to London to try to recover some part of the sums which had been lent on government security. Instead of receiving any satisfaction, the Scottish Crœsus was thrown into prison, in which he died, 19th December, 1655. It is said his death was hastened by the want of common necessaries. But this statement is somewhat exaggerated, if it be true, as is commonly said, that though he was not supplied with bread, he had plenty of pie-crust, thence called "Sir William Dick's necessity."

The changes of fortune are commemorated in a folio pamphlet, entitled, "The Lamentable State of the deceased Sir William Dick." It contains several copper-plates, one representing Sir William on horseback, and attended with guards as Lord Provost of Edinburgh, superintending the unloading of one of his rich argosies. A second exhibiting him as arrested, and in the hands of the bailiffs. A third presents him dead in prison. The tract is esteemed highly valuable by collectors of prints. The only copy I ever saw upon sale, was rated at £30.

itsell still standing in the Luckenbooths—I think it's a claith-merchant's booth the day *—at the airn stanchells, five doors abune Gossford's Close.—But now we haena sic spirit amang us; we think mair about the warst wally-draigle in our ain byre, than about the blessing which the angel of the covenant gave to the Patriarch even at Peniel and Mahanaim, or the binding obligation of our national vows; and we wad rather gie a pund Scots to buy an unguent to clear out auld rannell-trees and our beds o' the English bugs as they ca' them, than we wad gie a plack to rid the land of the swarm of Arminian caterpillars, Socinian pismires, and deistical Miss Katies, that have ascended out of the bottomless pit, to plague this perverse, insidious, and lukewarm generation."

It happened to Davie Deans on this occasion, as it has done to many other habitual orators; when once he became embarked on his favourite subject, the stream of his own enthusiasm carried him forward in spite of his mental distress, while his well-exercised memory supplied him amply with all the types and tropes of rhetoric peculiar to his sect and cause.

Mr. Middleburgh contented himself with answering—"All this may be very true, my friend; but, as you said just now, I have nothing to say to it at present, either one way or other.—You have two daughters, I think, Mr. Deans?"

The old man winced, as one whose smarting sore is suddenly galled; but instantly composed himself, resumed the work which, in the heat of his declamation, he had laid down, and answered with sullen resolution, "Ae daughter, sir—only *ane*."

* I think so too—But if the reader be curious, he may consult Mr. Chambers's Traditions of Edinburgh.

"I understand you," said Mr. Middleburgh; "you have only one daughter here at home with you—but this unfortunate girl who is a prisoner—she is, I think, your youngest daughter?"

The presbyterian sternly raised his eyes. "After the world, and according to the flesh, she *is* my daughter; but when she became a child of Belial, and a company-keeper, and a trader in guilt and iniquity, she ceased to be a bairn of mine."

"Alas, Mr. Deans," said Middleburgh, sitting down by him, and endeavouring to take his hand, which the old man proudly withdrew, "we are ourselves all sinners; and the errors of our offspring, as they ought not to surprise us, being the portion which they derive of a common portion of corruption inherited through us, so they do not entitle us to cast them off because they have lost themselves."

"Sir," said Deans impatiently, "I ken a' that as weel as—I mean to say," he resumed, checking the irritation he felt at being schooled,—a discipline of the mind, which those most ready to bestow it on others, do themselves most reluctantly submit to receive—"I mean to say, that what ye observe may be just and reasonable—But I hae nae freedom to enter into my ain private affairs wi' strangers—And now, in this great national emergency, when there's the Porteous' Act has come doun frae London, that is a deeper blow to this poor sinfu' kingdom and suffering kirk, than ony that has been heard of since the foul and fatal Test—at a time like this——"

"But, goodman," interrupted Mr. Middleburgh, "you must think of your own household first, or else you are worse even than the infidels."

"I tell ye, Bailie Middleburgh," retorted David Deans,

"if ye be a bailie, as there is little honour in being ane in these evil days—I tell ye, I heard the gracious Saunders Peden—I wotna whan it was; but it was in killing time, when the plowers were drawing alang their furrows on the back of the Kirk of Scotland—I heard him tell his hearers, gude and waled Christians they were too, that some o' them wad greet mair for a bit drowned calf or stirk, than for a' the defections and oppressions of the day; and that they were some o' them thinking o' ae thing, some o' anither, and there was Lady Hundleslope thinking o' greeting Jock at the fire-side! And the lady confessed in my hearing, that a drow of anxiety had come ower her for her son that she had left at hame weak of a decay *—And what wad he hae said of me, if I had ceased to think of the gude cause for a castaway—a—It kills me to think of what she is!"——

"But the life of your child, goodman—think of that—if her life could be saved," said Middleburgh.

"Her life!" exclaimed David—"I wadna gie ane o' my grey hairs for her life, if her gude name be gane—And yet," said he, relenting and retracting as he spoke, "I wad make the niffer, Mr. Middleburgh—I wad gie a' these grey hairs that she has brought to shame and sorrow—I wad gie the auld head they grow on for her life, and that she might hae time to amend and return, for what hae the wicked beyond the breath of their nosthrils?—but I'll never see her mair.—No!—that—that I am determined in—I'll never see her mair!" His lips continued to move for a minute after his voice ceased to be heard, as if he were repeating the same vow internally.

"Well, sir," said Mr. Middleburgh, "I speak to you as

* See Life of Peden, p. 111.

a man of sense; if you would save your daughter's life, you must use human means."

"I understand what you mean; but Mr. Novit, who is the procurator and doer of an honourable person, the Laird of Dumbiedikes, is to do what carnal wisdom can do for her in the circumstances. Mysell am not clear to trinquet and traffic wi' courts o' justice, as they are now constituted; I have a tenderness and scruple in my mind anent them."

"That is to say," said Middleburgh, "that you are a Cameronian, and do not acknowledge the authority of our courts of judicature, or present government?"

"Sir, under your favour," replied David, who was too proud of his own polemical knowledge, to call himself the follower of any one, "ye take me up before I fall down. I canna see why I suld be termed a Cameronian, especially now that ye hae given the name of that famous and savoury sufferer, not only until a regimental band of souldiers, whereof I am told many can now curse, swear, and use profane language, as fast as ever Richard Cameron could preach or pray; but also because ye have, in as far as it is in your power, rendered that martyr's name vain and contemptible, by pipes, drums, and fifes, playing the vain carnal spring, called the Cameronian Rant, which too many professors of religion dance to—a practice maist unbecoming a professor to dance to any tune whatsoever, more especially promiscuously, that is, with the female sex.* A brutish fashion it is, whilk is the beginning of defection with many, as I may hae as muckle cause as maist folk to testify."

"Well, but, Mr. Deans," replied Mr. Middleburgh, "I

* See Note, *Peter Walker*, p. 167.

only meant to say that you were a Cameronian, or Mac-Millanite, one of the society people, in short, who think it inconsistent to take oaths under a government where the Covenant is not ratified."

"Sir," replied the controversialist, who forgot even his present distress in such discussions as these, "you cannot fickle me sae easily as you do opine. I am *not* a Mac-Millanite, or a Russelite, or a Hamiltonian, or a Harleyite, or a Howdenite *—I will be led by the nose by none—I take my name as a Christian from no vessel of clay. I have my own principles and practice to answer for, and am an humble pleader for the gude auld cause in a legal way."

"That is to say, Mr. Deans," said Middleburgh, "that you are a *Deanite*, and have opinions peculiar to yourself."

"It may please you to say sae," said David Deans; "but I have maintained my testimony before as great folk, and in sharper times; and though I will neither exalt myself nor pull down others, I wish every man and woman in this land had kept the true testimony, and the middle and straight path, as it were, on the ridge of a hill, where wind and water shears, avoiding right-hand snares and extremes, and left-hand way-slidings, as weel as Johnny Dodds of Farthing's Acre, and ae man mair that shall be nameless."

"I suppose," replied the magistrate, "that is as much as to say, that Johnny Dodds of Farthing's Acre, and David Deans of St. Leonard's, constitute the only members of the true, real, unsophisticated Kirk of Scotland?"

"God forbid that I suld make sic a vain-glorious

* All various species of the great genus Cameronian.

speech, when there are sae mony professing Christians!" answered David; "but this I maun say, that all men act according to their gifts and their grace, sae that it is nae marvel that ——"

"This is all very fine," interrupted Mr. Middleburgh; "but I have no time to spend in hearing it. The matter in hand is this—I have directed a citation to be lodged in your daughter's hands—If she appears on the day of trial and gives evidence, there is reason to hope she may save her sister's life—if, from any constrained scruples about the legality of her performing the office of an affectionate sister and a good subject, by appearing in a court held under the authority of the law and government, you become the means of deterring her from the discharge of this duty, I must say, though the truth may sound harsh in your ears, that you, who gave life to this unhappy girl, will become the means of her losing it by a premature and violent death."

So saying, Mr. Middleburgh turned to leave him.

"Bide awee—bide awee, Mr. Middleburgh," said Deans, in great perplexity and distress of mind; but the Bailie, who was probably sensible that protracted discussion might diminish the effect of his best and most forcible argument, took a hasty leave, and declined entering farther into the controversy.

Deans sunk down upon his seat, stunned with a variety of conflicting emotions. It had been a great source of controversy among those holding his opinions in religious matters, how far the government which succeeded the Revolution could be, without sin, acknowledged by true presbyterians, seeing that it did not recognise the great national testimony of the Solemn League and Covenant? And latterly, those agreeing in this general doctrine, and

assuming the sounding title of the anti-popish, anti-prelatic, anti-erastian, anti-sectarian, true presbyterian remnant, were divided into many petty sects among themselves, even as to the extent of submission to the existing laws and rulers, which constituted such an acknowledgment as amounted to sin.

At a very stormy and tumultuous meeting, held in 1682, to discuss these important and delicate points, the testimonies of the faithful few were found utterly inconsistent with each other.* The place where this conference took place was remarkably well adapted for such an assembly. It was a wild and very sequestered dell in Tweeddale, surrounded by high hills, and far remote from human habitation. A small river, or rather a mountain torrent, called the Talla, breaks down the glen with great fury, dashing successively over a number of small cascades, which has procured the spot the name of Talla-Linns. Here the leaders among the scattered adherents to the Covenant, men who, in their banishment from human society, and in the recollection of the severities to which they had been exposed, had become at once sullen in their tempers, and fantastic in their religious opinions, met with arms in their hands, and by the side of the torrent discussed, with a turbulence which the noise of the stream could not drown, points of controversy as empty and unsubstantial as its foam.

* This remarkable convocation took place upon 15th June, 1682, and an account of its confused and divisive proceedings may be found in Michael Shield's "Faithful Contendings Displayed," Glasgow, 1780, p. 21. It affords a singular and melancholy example how much a metaphysical and polemical spirit had crept in amongst these unhappy sufferers, since amid so many real injuries which they had to sustain, they were disposed to add disagreement and disunion concerning the character and extent of such as were only imaginary.

It was the fixed judgment of most of the meeting, that all payment of cess or tribute to the existing government was utterly unlawful, and a sacrificing to idols. About other impositions and degrees of submission there were various opinions; and perhaps it is the best illustration of the spirit of those military fathers of the church to say, that while all allowed it was impious to pay the cess employed for maintaining the standing army and militia, there was a fierce controversy on the lawfulness of paying the duties levied at ports and bridges, for maintaining roads and other necessary purposes; that there were some who, repugnant to these imposts for turnpikes and postages, were, nevertheless, free in conscience to make payment of the usual freight at public ferries, and that a person of exceeding and punctilious zeal, James Russel, one of the slayers of the Archbishop of St. Andrews, had given his testimony with great warmth even against this last faint shade of subjection to constituted authority. This ardent and enlightened person and his followers had also great scruples about the lawfulness of bestowing the ordinary names upon the days of the week and the months of the year, which savoured in their nostrils so strongly of paganism, that at length they arrived at the conclusion that they who owned such names as Monday, Tuesday, January, February, and so forth, "served themselves heirs to the same, if not greater punishment, than had been denounced against the idolaters of old."

David Deans had been present on this memorable occasion, although too young to be a speaker among the polemical combatants. His brain, however, had been thoroughly heated by the noise, clamour, and metaphysical ingenuity of the discussion, and it was a controversy

to which his mind had often returned; and though he carefully disguised his vacillation from others, and perhaps from himself, he had never been able to come to any precise line of decision on the subject. In fact, his natural sense had acted as a counterpoise to his controversial zeal. He was by no means pleased with the quiet and indifferent manner in which King William's government slurred over the errors of the times, when, far from restoring the presbyterian kirk to its former supremacy, they passed an act of oblivion even to those who had been its persecutors, and bestowed on many of them titles, favours, and employments. When, in the first General Assembly which succeeded the Revolution, an overture was made for the revival of the League and Covenant, it was with horror that Douce David heard the proposal eluded by the men of carnal wit and policy, as he called them, as being inapplicable to the present times, and not falling under the modern model of the church. The reign of Queen Anne had increased his conviction, that the Revolution government was not one of the true presbyterian complexion. But then, more sensible than the bigots of his sect, he did not confound the moderation and tolerance of these two reigns with the active tyranny and oppression exercised in those of Charles II. and James II. The presbyterian form of religion, though deprived of the weight formerly attached to its sentences of excommunication, and compelled to tolerate the co-existence of episcopacy, and of sects of various descriptions, was still the National Church; and though the glory of the second temple was far inferior to that which had flourished from 1639 till the battle of Dunbar, still it was a structure that, wanting the strength and the terrors, retained at least the form and symmetry,

of the original model. Then came the insurrection in 1715, and David Deans's horror for the revival of the popish and prelatical faction reconciled him greatly to the government of King George, although he grieved that that monarch might be suspected of a leaning unto Erastianism. In short, moved by so many different considerations, he had shifted his ground at different times concerning the degree of freedom which he felt in adopting any act of immediate acknowledgment or submission to the present government, which, however mild and paternal, was still uncovenanted, and now he felt himself called upon, by the most powerful motive conceivable, to authorize his daughter's giving testimony in a court of justice, which all who have been since called Cameronians accounted a step of lamentable and direct defection. The voice of nature, however, exclaimed loud in his bosom against the dictates of fanaticism; and his imagination, fertile in the solution of polemical difficulties, devised an expedient for extricating himself from the fearful dilemma, in which he saw, on the one side, a falling off from principle, and, on the other, a scene from which a father's thoughts could not but turn in shuddering horror.

"I have been constant and unchanged in my testimony," said David Deans; "but then who has said it of me, that I have judged my neighbour over closely, because he hath had more freedom in his walk than I have found in mine? I never was a separatist, nor for quarrelling with tender souls about mint, cummin, or other the lesser tithes. My daughter Jean may have a light in this subject that is hid frae my auld een—it is laid on her conscience, and not on mine—If she hath freedom to gang before this judicatory, and hold up her hand for this poor

castaway, surely I will not say she steppeth over her bounds; and if not"——He paused in his mental argument, while a pang of unutterable anguish convulsed his features, yet, shaking it off, he firmly resumed the strain of his reasoning—"And IF NOT—God forbid that she should go into defection at bidding of mine. I wunna fret the tender conscience of one bairn—no, not to save the life of the other."

A Roman would have devoted his daughter to death from different feelings and motives, but not upon a more heroic principle of duty.

CHAPTER XIX.

> To man, in this his trial state,
> The privilege is given,
> When tost by tides of human fate,
> To anchor fast on heaven.
> WATTS'S *Hymns.*

IT was with a firm step that Deans sought his daughter's apartment, determined to leave her to the light of her own conscience in the dubious point of casuistry in which he supposed her to be placed.

The little room had been the sleeping apartment of both sisters, and there still stood there a small occasional bed, which had been made for Effie's accommodation, when, complaining of illness, she had declined to share, as in happier times, her sister's pillow. The eyes of Deans rested involuntarily, on entering the room, upon this little couch, with its dark-green coarse curtains, and the ideas connected with it rose so thick upon his soul as almost to incapacitate him from opening his errand to his daughter. Her occupation broke the ice. He found her gazing on a slip of paper, which contained a citation to her to appear as a witness upon her sister's trial, in behalf of the accused. For the worthy magistrate determined to omit no chance of doing Effie justice, and to leave her sister no apology for not giving the evidence which she was supposed to possess, had caused the ordinary citation, or *subpœna*, of the Scottish criminal court,

to be served upon her by an officer during his conference with David.

This precaution was so far favourable to Deans, that it saved him the pain of entering upon a formal explanation with his daughter; he only said, with a hollow and tremulous voice, "I perceive ye are aware of the matter."

"O father, we are cruelly sted between God's laws and man's laws—What shall we do?—What can we do?"

Jeanie, it must be observed, had no hesitation whatever about the mere act of appearing in a court of justice. She might have heard the point discussed by her father more than once; but we have already noticed, that she was accustomed to listen with reverence to much which she was incapable of understanding, and that subtle arguments of casuistry found her a patient, but unedified hearer. Upon receiving the citation, therefore, her thoughts did not turn upon the chimerical scruples which alarmed her father's mind, but to the language which had been held to her by the stranger at Muschat's Cairn. In a word, she never doubted but she was to be dragged forward into the court of justice, in order to place her in the cruel position of either sacrificing her sister by telling the truth, or committing perjury in order to save her life. And so strongly did her thoughts run in this channel, that she applied her father's words, "Ye are aware of the matter," to his acquaintance with the advice that had been so fearfully enforced upon her. She looked up with anxious surprise, not unmingled with a cast of horror, which his next words, as she interpreted and applied them, were not qualified to remove.

"Daughter," said David, "it has ever been my mind,

that in things of ane doubtful and controversial nature, ilk Christian's conscience suld be his ain guide—Wherefore descend into yourself, try your ain mind with sufficiency of soul exercise, and as you sall finally find yourself clear to do in this matter—even so be it."

"But, father," said Jeanie, whose mind revolted at the construction which she naturally put upon his language, "can this—THIS be a doubtful or controversial matter?—Mind, father, the ninth command—'Thou shalt not bear false witness against thy neighbour.'"

David Deans paused; for, still applying her speech to his preconceived difficulties, it seemed to him as if *she*, a woman, and a sister, was scarce entitled to be scrupulous upon this occasion, where *he*, a man, exercised in the testimonies of that testifying period, had given indirect countenance to her following what must have been the natural dictates of her own feelings. But he kept firm his purpose, until his eyes involuntarily rested upon the little settle-bed, and recalled the form of the child of his old age, as she sate upon it, pale, emaciated, and broken-hearted. His mind, as the picture arose before him, involuntarily conceived, and his tongue involuntarily uttered—but in a tone how different from his usual dogmatical precision!—arguments for the course of conduct likely to ensure his child's safety.

"Daughter," he said, "I did not say that your path was free from stumbling—and, questionless, this act may be in the opinion of some a transgression, since he who beareth witness unlawfully, and against his conscience, doth in some sort bear false witness against his neighbour. Yet in matters of compliance, the guilt lieth not in the compliance sae muckle, as in the mind and conscience of

him that doth comply; and, therefore, although my testimony hath not been spared upon public defections, I haena felt freedom to separate mysell from the communion of many who have been clear to hear those ministers who have taken the fatal indulgence because they might get good of them, though I could not."

When David had proceeded thus far, his conscience reproved him, that he might be indirectly undermining the purity of his daughter's faith, and smoothing the way for her falling off from strictness of principle. He therefore suddenly stopped, and changed his tone:—"Jeanie, I perceive that our vile affections,—so I call them in respect of doing the will of our Father,—cling too heavily to me in this hour of trying sorrow, to permit me to keep sight of my ain duty, or to airt you to yours. I will speak nae mair anent this over-trying matter.—Jeanie, if ye can, wi' God and gude conscience, speak in favour of this puir unhappy"—(here his voice faltered)—"She is your sister in the flesh—worthless and cast-away as she is, she is the daughter of a saint in heaven, that was a mother to you, Jeanie, in place of your ain—but if ye arena free in conscience to speak for her in the court of judicature, follow your conscience, Jeanie, and let God's will be done." After this adjuration he left the apartment, and his daughter remained in a state of great distress and perplexity.

It would have been no small addition to the sorrows of David Deans, even in this extremity of suffering, had he known that his daughter was applying the casuistical arguments which he had been using, not in the sense of a permission to follow her own opinion on a dubious and disputed point of controversy, but rather as an encouragement to transgress one of those divine command-

ments which Christians of all sects and denominations unite in holding most sacred.

"Can this be?" said Jeanie, as the door closed on her father—"Can these be his words that I have heard, or has the Enemy taken his voice and features to give weight unto the counsel which causeth to perish?—A sister's life, and a father pointing out how to save it!—O God, deliver me!—this is a fearfu' temptation."

Roaming from thought to thought, she at one time imagined her father understood the ninth commandment literally, as prohibiting false witness *against* our neighbour, without extending the denunciation against falsehood uttered *in favour* of the criminal. But her clear and unsophisticated power of discriminating between good and evil, instantly rejected an interpretation so limited, and so unworthy of the Author of the law. She remained in a state of the most agitating terror and uncertainty—afraid to communicate her thoughts freely to her father, lest she should draw forth an opinion with which she could not comply,—wrung with distress on her sister's account, rendered the more acute by reflecting that the means of saving her were in her power, but were such as her conscience prohibited her from using,—tossed, in short, like a vessel in an open roadstead during a storm, and, like that vessel, resting on one only sure cable and anchor,—faith in Providence, and a resolution to discharge her duty.

Butler's affection and strong sense of religion would have been her principal support in these distressing circumstances, but he was still under restraint, which did not permit him to come to St. Leonard's Crags; and her distresses were of a nature, which, with her indifferent habits of scholarship, she found it impossible to express

in writing. She was therefore compelled to trust for guidance to her own unassisted sense of what was right or wrong. It was not the least of Jeanie's distresses, that, although she hoped and believed her sister to be innocent, she had not the means of receiving that assurance from her own mouth.

The double-dealing of Ratcliffe in the matter of Robertson had not prevented his being rewarded, as double-dealers frequently have been, with favour and preferment. Sharpitlaw, who found in him something of a kindred genius, had been intercessor in his behalf with the magistrates, and the circumstance of his having voluntarily remained in the prison, when the doors were forced by the mob, would have made it a hard measure to take the life which he had such easy means of saving. He received a full pardon; and soon afterwards, James Ratcliffe, the greatest thief and housebreaker in Scotland, was, upon the faith, perhaps, of an ancient proverb, selected as a person to be intrusted with the custody of other delinquents.

When Ratcliffe was thus placed in a confidential situation, he was repeatedly applied to by the sapient Saddletree and others, who took some interest in the Deans' family, to procure an interview between the sisters; but the magistrates, who were extremely anxious for the apprehension of Robertson, had given strict orders to the contrary, hoping that, by keeping them separate, they might, from the one or the other, extract some information respecting that fugitive. On this subject Jeanie had nothing to tell them. She informed Mr. Middleburgh, that she knew nothing of Robertson, except having met him that night by appointment to give her some advice respecting her sister's concern, the purport of which, she

said, was betwixt God and her conscience. Of his motions, purposes, or plans, past, present, or future, she knew nothing, and so had nothing to communicate.

Effie was equally silent though from a different cause. It was in vain that they offered a commutation and alleviation of her punishment, and even a free pardon, if she would confess what she knew of her lover. She answered only with tears; unless, when at times driven into pettish sulkiness by the persecution of the interrogators, she made them abrupt and disrespectful answers.

At length, after her trial had been delayed for many weeks, in hopes she might be induced to speak out on a subject infinitely more interesting to the magistracy than her own guilt or innocence, their patience was worn out, and even Mr. Middleburgh finding no ear lent to farther intercession in her behalf, the day was fixed for the trial to proceed.

It was now, and not sooner, that Sharpitlaw, recollecting his promise to Effie Deans, or rather being dinned into compliance by the unceasing remonstrances of Mrs. Saddletree, who was his next-door neighbour, and who declared it was heathen cruelty to keep the twa broken-hearted creatures separate, issued the important mandate, permitting them to see each other.

On the evening which preceded the eventful day of trial, Jeanie was permitted to see her sister—an awful interview, and occurring at a most distressing crisis. This, however, formed a part of the bitter cup which she was doomed to drink, to atone for crimes and follies to which she had no accession; and at twelve o'clock noon, being the time appointed for admission to the jail, she went to meet, for the first time for several months, her guilty, erring, and most miserable sister, in that abode of guilt, error, and utter misery.

CHAPTER XX.

——— Sweet sister, let me live!
What sin you do to save a brother's life,
Nature dispenses with the deed so far,
That it becomes a virtue.

MEASURE FOR MEASURE.

JEANIE DEANS was admitted into the jail by Ratcliffe. This fellow, as void of shame as of honesty, as he opened the now trebly secured door, asked her, with a leer which made her shudder, "whether she remembered him?"

A half-pronounced and timid "No," was her answer.

"What! not remember moonlight, and Muschat's Cairn, and Rob and Rat?" said he, with the same sneer;—"Your memory needs redding up, my jo."

If Jeanie's distresses had admitted of aggravation, it must have been to find her sister under the charge of such a profligate as this man. He was not, indeed, without something of good to balance so much that was evil in his character and habits. In his misdemeanours he had never been bloodthirsty or cruel; and in his present occupation, he had shown himself, in a certain degree, accessible to touches of humanity. But these good qualities were unknown to Jeanie, who, remembering the scene at Muschat's Cairn, could scarce find voice to acquaint him, that she had an order from Bailie Middleburgh, permitting her to see her sister.

"I ken that fu' weel, my bonny doo; mair by token, I have a special charge to stay in the ward with you a' the time ye are thegither."

"Must that be sae?" asked Jeanie, with an imploring voice.

"Hout, ay, hinny," replied the turnkey; "and what the waur will you and your tittie be of Jim Ratcliffe hearing what ye hae to say to ilk other?—Deil a word ye'll say that will gar him ken your kittle sex better than he kens them already; and another thing is, that if ye dinna speak o' breaking the Tolbooth, deil a word will I tell ower, either to do ye good or ill."

Thus saying, Ratcliffe marshalled her the way to the apartment where Effie was confined.

Shame, fear, and grief, had contended for mastery in the poor prisoner's bosom during the whole morning, while she had looked forward to this meeting; but when the door opened, all gave way to a confused and strange feeling that had a tinge of joy in it, as, throwing herself on her sister's neck, she ejaculated, "My dear Jeanie!—my dear Jeanie! it's lang since I hae seen ye." Jeanie returned the embrace with an earnestness that partook almost of rapture, but it was only a flitting emotion, like a sunbeam unexpectedly penetrating betwixt the clouds of a tempest, and obscured almost as soon as visible. The sisters walked together to the side of the pallet bed, and sate down side by side, took hold of each other's hands, and looked each other in the face, but without speaking a word. In this posture they remained for a minute, while the gleam of joy gradually faded from their features, and gave way to the most intense expression, first of melancholy, and then of agony, till, throwing themselves again into each other's arms, they, to use the

language of Scripture, lifted up their voices, and wept bitterly.

Even the hard-hearted turnkey, who had spent his life in scenes calculated to stifle both conscience and feeling, could not witness this scene without a touch of human sympathy. It was shown in a trifling action, but which had more delicacy in it than seemed to belong to Ratcliffe's character and station. The unglazed window of the miserable chamber was open, and the beams of a bright sun fell right upon the bed where the sufferers were seated. With a gentleness that had something of reverence in it, Ratcliffe partly closed the shutter, and seemed thus to throw a veil over a scene so sorrowful.

"Ye are ill, Effie," were the first words Jeanie could utter; "ye are very ill."

"O, what wad I gie to be ten times waur, Jeanie!" was the reply—"what wad I gie to be cauld dead afore the ten o'clock bell the morn! And our father—but I am his bairn nae langer now—O, I hae nae friend left in the warld!—O, that I were lying dead at my mother's side, in Newbattle kirk-yard!"

"Hout, lassie," said Ratcliffe, willing to show the interest which he absolutely felt, "dinna be sae dooms doonhearted as a' that; there's mony a tod hunted that's no killed. Advocate Langtale has brought folk through waur snappers than a' this, and there's no a cleverer agent than Nichil Novit e'er drew a bill of suspension. Hanged or unhanged, they are weel aff has sic an agent and counsel; ane's sure o' fair play. Ye are a bonny lass, too, an ye wad busk up your cockernonie a bit; and a bonny lass will find favour wi' judge and jury, when they would strap up a grewsome carle like me for the fifteenth part of a flea's hide and tallow, d—n them."

To this homely strain of consolation the mourners returned no answer; indeed, they were so much lost in their own sorrows as to have become insensible of Ratcliffe's presence. "O Effie," said her elder sister, "how could you conceal your situation from me? O woman, had I deserved this at your hand?—had ye spoke but ae word—sorry we might hae been, and shamed we might hae been, but this awfu' dispensation had never come ower us."

"And what gude wad that hae dune?" answered the prisoner. "Na, na, Jeanie, a' was ower when ance I forgot what I promised when I faulded down the leaf of my Bible. See," she said, producing the sacred volume, "the book opens aye at the place o' itsell. O see, Jeanie, what a fearfu' Scripture!"

Jeanie took her sister's Bible, and found that the fatal mark was made at this impressive text in the book of Job: "He hath stripped me of my glory, and taken the crown from my head. He hath destroyed me on every side, and I am gone. And mine hope hath he removed like a tree."

"Isna that ower true a doctrine?" said the prisoner—"Isna my crown, my honour removed? And what am I but a poor wasted, wan-thriven tree, dug up by the roots, and flung out to waste in the highway, that man and beast may tread it under foot? I thought o' the bonny bit thorn that our father rooted out o' the yard last May, when it had a' the flush o' blossoms on it; and then it lay in the court till the beasts had trod them a' to pieces wi' their feet. I little thought, when I was wae for the bit silly green bush and its flowers, that I was to gang the same gate mysell."

"O, if ye had spoken ae word," again sobbed Jeanie,—

"If I were free to swear that ye had said but ae word of how it stude wi' ye, they couldna hae touched your life this day."

"Could they na?" said Effie, with something like awakened interest—for life is dear even to those who feel it is a burden—"Wha tauld ye that, Jeanie?"

"It was ane that kend what he was saying weel eneugh," replied Jeanie, who had a natural reluctance at mentioning even the name of her sister's seducer.

"Wha was it?—I conjure you to tell me," said Effie, seating herself upright.—"Wha could tak interest in sic a cast-by as I am now?—Was it—was it *him?*"

"Hout," said Ratcliffe, "what signifies keeping the poor lassie in a swither? I'se uphaud it's been Robertson that learned ye that doctrine when ye saw him at Muschat's Cairn."

"Was it him?" said Effie, catching eagerly at his words—"was it him, Jeanie, indeed?—O, I see it was him—poor lad, and I was thinking his heart was as hard as the nether millstane—and him in sic danger on his ain part—poor George!"

Somewhat indignant at this burst of tender feeling towards the author of her misery, Jeanie could not help exclaiming—"O Effie, how can ye speak that gate of sic a man as that?"

"We maun forgie our enemies, ye ken," said poor Effie, with a timid look and a subdued voice; for her conscience told her what a different character the feelings with which she regarded her seducer bore, compared with the Christian charity under which she attempted to veil it.

"And ye hae suffered a' this for him, and ye can think of loving him still?" said her sister in a voice betwixt pity and blame.

"Love him!" answered Effie—"If I hadna loved as woman seldom loves, I hadna been within these wa's this day; and trow ye, that love sic as mine is lightly forgotten?—Na, na—ye may hew down the tree, but ye canna change its bend—And, O Jeanie, if ye wad do good to me at this moment, tell me every word that he said, and whether he was sorry for poor Effie or no!"

"What needs I tell ye ony thing about it?" said Jeanie. "Ye may be sure he had ower muckle to do to save himsell, to speak lang or muckle about ony body beside."

"That's no true, Jeanie, though a saunt had said it," replied Effie, with a sparkle of her former lively and irritable temper. "But ye dinna ken, though I do, how far he pat his life in venture to save mine." And looking at Ratcliffe, she checked herself and was silent.

"I fancy," said Ratcliffe, with one of his familiar sneers, "the lassie thinks that naebody has een but hersell—Didna I see when Gentle Geordie was seeking to get other folk out of the Tolbooth forby Jock Porteous? but ye are of my mind, hinny—better sit and rue, than flit and rue—ye needna look in my face sae amazed. I ken mair things than that, may be."

"O my God! my God!" said Effie, springing up and throwing herself down on her knees before him—"D'ye ken where they hae putten my bairn?—O my bairn! my bairn! the poor sackless innocent new-born wee ane—bone of my bone, and flesh of my flesh!—O man, if ye wad e'er deserve a portion in Heaven, or a broken-hearted creature's blessing upon earth, tell me where they hae put my bairn—the sign of my shame, and the partner of my suffering! tell me wha has taen't away, or what they hae dune wi't!"

"Hout tout," said the turnkey, endeavouring to extricate himself from the firm grasp with which she held him, "that's taking me at my word wi' a witness—Bairn, quo' she? How the deil suld I ken ony thing of your bairn, huzzy? Ye maun ask that of auld Meg Murdockson, if ye dinna ken ower muckle about it yoursell."

As his answer destroyed the wild and vague hope which had suddenly gleamed upon her, the unhappy prisoner let go her hold of his coat, and fell with her face on the pavement of the apartment in a strong convulsion fit.

Jeanie Deans possessed, with her excellently clear understanding, the concomitant advantage of promptitude of spirit, even in the extremity of distress.

She did not suffer herself to be overcome by her own feelings of exquisite sorrow, but instantly applied herself to her sister's relief, with the readiest remedies which circumstances afforded; and which, to do Ratcliffe justice, he showed himself anxious to suggest, and alert in procuring. He had even the delicacy to withdraw to the farthest corner of the room, so as to render his official attendance upon them as little intrusive as possible when Effie was composed enough again to resume her conference with her sister.

The prisoner once more, in the most earnest and broken tones, conjured Jeanie to tell her the particulars of the conference with Robertson, and Jeanie felt it was impossible to refuse her this gratification.

"Do ye mind," she said, "Effie, when ye were in the fever before we left Woodend, and how angry your mother, that's now in a better place, was wi' me for gieing ye milk and water to drink, because ye grat for it? Ye were a bairn then, and ye are a woman now, and

should ken better than ask what canna but hurt you—But come weal or wo, I canna refuse ye ony thing that ye ask me wi' the tear in your ee."

Again Effie threw herself into her arms, and kissed her cheek and forehead, murmuring, "O, if ye kend how lang it is since I heard his name mentioned!—if ye but kend how muckle good it does me but to ken ony thing o' him, that's like goodness or kindness, ye wadna wonder that I wish to hear o' him!"

Jeanie sighed, and commenced her narrative of all that had passed betwixt Robertson and her, making it as brief as possible. Effie listened in breathless anxiety, holding her sister's hand in hers, and keeping her eye fixed upon her face, as if devouring every word she uttered. The interjections of "Poor fellow,"—"Poor George," which escaped in whispers, and betwixt sighs, were the only sounds with which she interrupted the story. When it was finished she made a long pause.

"And this was his advice?" were the first words she uttered.

"Just sic as I hae tell'd ye," replied her sister.

"And he wanted you to say something to yon folks, that wad save my young life?"

"He wanted," answered Jeanie, "that I suld be mansworn."

"And you tauld him," said Effie, "that ye wadna hear o' coming between me and the death that I am to die, and me no aughteen year auld yet?"

"I told him," replied Jeanie, who now trembled at the turn which her sister's reflections seemed about to take, "that I daured na swear to an untruth."

"And what d'ye ca' an untruth?" said Effie, again showing a touch of her former spirit—"Ye are muckle to

blame, lass, if ye think a mother would, or could, murder her ain bairn—Murder!—I wad hae laid down my life just to see a blink o' its ee!"

"I do believe," said Jeanie, "that ye are as innocent of sic a purpose as the new-born babe itsell."

"I am glad ye do me that justice," said Effie, haughtily; "it's whiles the faut of very good folk like you, Jeanie, that they think a' the rest of the warld are as bad as the warst temptations can make them."

"I dinna deserve this frae ye, Effie," said her sister, sobbing, and feeling at once the injustice of the reproach, and compassion for the state of mind which dictated it.

"May be no, sister," said Effie. "But ye are angry because I love Robertson—How can I help loving him, that loves me better than body and soul baith?—Here he put his life in a niffer, to break the prison to let me out; and sure am I, had it stood wi' him as it stands wi' you"—Here she paused and was silent.

"O, if it stude wi' me to save ye wi' risk of *my* life!" said Jeanie.

"Ay, lass," said her sister, "that's lightly said, but no sae lightly credited, frae ane that winna ware a word for me; and if it be a wrang word, ye'll hae time eneugh to repent o't."

"But that word is a grievous sin, and it's a deeper offence when it's a sin wilfully and presumptuously committed."

"Weel, weel, Jeanie," said Effie, "I mind a' about the sins o' presumption in the questions—we'll speak nae mair about this matter, and ye may save your breath to say your carritch; and for me, I'll soon hae nae breath to waste on ony body."

"I must needs say," interposed Ratcliffe, "that its

d—d hard, when three words of your mouth would give the girl the chance to nick Moll Blood,* that you make such scrupling about rapping † to them. D—n me, if they would take me, if I would not rap to all whatd'ye-callums—Hyssop's Fables, for her life—I am us'd to't, b—t me, for less matters. Why, I have smacked calf-skin ‡ fifty times in England for a keg of brandy."

"Never speak mair o't," said the prisoner. "It's just as weel as it is—and gude-day, sister; ye keep Mr. Ratcliffe waiting on—Ye'll come back and see me, I reckon, before"——here she stopped, and became deadly pale.

"And are we to part in this way," said Jeanie, "and you in sic deadly peril? O, Effie, look but up, and say what ye wad hae me to do, and I could find in my heart amaist to say that I wad do't."

"No, Jeanie," replied her sister, after an effort, "I am better minded now. At my best, I was never half sae gude as ye were, and what for suld you begin to mak yoursell waur to save me, now that I am no worth saving? God knows, that in my sober mind, I wadna wuss ony living creature to do a wrang thing to save my life. I might have fled frae this Tolbooth on that awfu' night wi' ane wad hae carried me through the warld, and friended me, and fended for me. But I said to them, let life gang when gude fame is gane before it. But this lang imprisonment has broken my spirit, and I am whiles sair left to mysell, and then I wad gie the Indian mines of gold and diamonds, just for life and breath—for I think, Jeanie, I have such roving fits as I used to hae in the fever; but, instead of the fiery een, and wolves, and Widow Butler's bullseg, that I used to see spieling upon my bed, I am thinking now about a high, black gibbet,

* The gallows. † Swearing. ‡ Kissed the book.

and me standing up, and such seas of faces all looking up at poor Effie Deans, and asking if it be her that George Robertson used to call the Lily of St. Leonard's. And then they stretch out their faces, and make mouths, and girn at me, and which ever way I look, I see a face laughing like Meg Murdockson, when she tauld me I had seen the last of my wean. God preserve us, Jeanie, that carline has a fearsome face!" She clapped her hands before her eyes as she uttered this exclamation, as if to secure herself against seeing the fearful object she had alluded to.

Jeanie Deans remained with her sister for two hours, during which she endeavoured, if possible, to extract something from her that might be serviceable in her exculpation. But she had nothing to say beyond what she had declared on her first examination, with the purport of which the reader will be made acquainted in proper time and place. "They wadna believe her," she said, "and she had naething mair to tell them."

At length, Ratcliffe, though reluctantly, informed the sisters that there was a necessity that they should part. "Mr. Novit," he said, "was to see the prisoner, and may be Mr. Langtale too. Langtale likes to look at a bonny lass, whether in prison or out o' prison."

Reluctantly, therefore, and slowly, after many a tear, and many an embrace, Jeanie retired from the apartment, and heard its jarring bolts turned upon the dear being from whom she was separated. Somewhat familiarized now even with her rude conductor, she offered him a small present in money, with a request he would do what he could for her sister's accommodation. To her surprise, Ratcliffe declined the fee. "I wasna bloody when I was on the pad," he said, "and I winna be greedy—that is,

beyond what's right and reasonable—now that I am in the lock.—Keep the siller; and for civility, your sister sall hae sic as I can bestow; but I hope you'll think better on it, and rap an oath for her—deil a hair ill there is in it, if ye are rapping again the crown. I kend a worthy minister, as gude a man, bating the deed they deposed him for, as ever ye heard claver in a pu'pit, that rapped to a hogshead of pigtail tobacco, just for as muckle as filled his spleuchan.* But maybe ye are keeping your ain counsel—weel, weel, there's nae harm in that. As for your sister, I'se see that she gets her meat clean and warm, and I'll try to gar her lie down and take a sleep after dinner, for deil a ee she'll close the night. I hae gude experience of these matters. The first night is aye the warst o't. I hae never heard o' ane that sleepit the night afore trial, but of mony a ane that sleepit as sound as a tap the night before their necks were straughted. And it's nae wonder—the warst may be tholed when it's kend—Better a finger aff as aye wagging."

* Tobacco pouch.

CHAPTER XXI.

> Yet though thou mayst be dragg'd in scorn
> To yonder ignominious tree,
> Thou shalt not want one faithful friend
> To share the cruel fates' decree.
>
> JEMMY DAWSON.

AFTER spending the greater part of the morning in his devotions, (for his benevolent neighbours had kindly insisted upon discharging his task of ordinary labour,) David Deans entered the apartment when the breakfast meal was prepared. His eyes were involuntarily cast down, for he was afraid to look at Jeanie, uncertain as he was whether she might feel herself at liberty, with a good conscience, to attend the Court of Justiciary that day, to give the evidence which he understood that she possessed, in order to her sister's exculpation. At length, after a minute of apprehensive hesitation, he looked at her dress to discover whether it seemed to be in her contemplation to go abroad that morning. Her apparel was neat and plain, but such as conveyed no exact intimation of her intentions to go abroad. She had exchanged her usual garb for morning labour, for one something inferior to that with which, as her best, she was wont to dress herself for church, or any more rare occasion of going into society. Her sense taught her, that it was respectful to be decent in her apparel on such an occasion, while her feelings induced her to lay aside the use of the very

few and simple personal ornaments, which, on other occasions, she permitted herself to wear. So that there occurred nothing in her external appearance which could mark out to her father, with any thing like certainty, her intentions on this occasion.

The preparations for their humble meal were that morning made in vain. The father and daughter sat, each assuming the appearance of eating, when the other's eyes were turned to them, and desisting from the effort with disgust, when the affectionate imposture seemed no longer necessary.

At length these moments of constraint were removed. The sound of St. Giles's heavy toll announced the hour previous to the commencement of the trial; Jeanie arose, and, with a degree of composure for which she herself could not account, assumed her plaid, and made her other preparations for a distant walking. It was a strange contrast between the firmness of her demeanour, and the vacillation and cruel uncertainty of purpose indicated in all her father's motions; and one unacquainted with both could scarcely have supposed that the former was, in her ordinary habits of life, a docile, quiet, gentle, and even timid country maiden, while her father, with a mind naturally proud and strong, and supported by religious opinions, of a stern, stoical, and unyielding character, had in his time undergone and withstood the most severe hardships, and the most imminent peril, without depression of spirit, or subjugation of his constancy. The secret of this difference was, that Jeanie's mind had already anticipated the line of conduct which she must adopt, with all its natural and necessary consequences; while her father, ignorant of every other circumstance, tormented himself with imagining what the one sister might say or swear,

or what effect her testimony might have upon the awful event of the trial.

He watched his daughter, with a faltering and indecisive look, until she looked back upon him, with a look of unutterable anguish, as she was about to leave the apartment.

"My dear lassie," said he, "I will"——His action, hastily and confusedly searching for his worsted mittans* and staff, showed his purpose of accompanying her, though his tongue failed distinctly to announce it.

"Father," said Jeanie, replying rather to his action than his words, "ye had better not."

"In the strength of my God," answered Deans, assuming firmness, "I will go forth."

And, taking his daughter's arm under his, he began to walk from the door with a step so hasty, that she was almost unable to keep up with him. A trifling circumstance, but which marked the perturbed state of his mind, checked his course. "Your bonnet, father?" said Jeanie, who observed he had come out with his grey hairs uncovered. He turned back with a slight blush on his cheek, being ashamed to have been detected in an omission which indicated so much mental confusion, assumed his large blue Scottish bonnet, and with a step slower, but more composed, as if the circumstance had obliged him to summon up his resolution, and collect his scattered ideas, again placed his daughter's arm under his, and resumed the way to Edinburgh.

The courts of justice were then, and are still, held in what is called the Parliament Close, or, according to modern phrase, Parliament Square, and occupied the buildings intended for the accommodation of the Scottish

* A kind of worsted gloves, used by the lower orders.

Estates. This edifice, though in an imperfect and corrupted style of architecture, had then a grave, decent, and, as it were, a judicial aspect, which was at least entitled to respect from its antiquity. For which venerable front, I observed, on my last occasional visit to the metropolis, that modern taste had substituted, at great apparent expense, a pile so utterly inconsistent with every monument of antiquity around, and in itself so clumsy at the same time and fantastic, that it may be likened to the decorations of Tom Errand the porter, in the Trip to the Jubilee, when he appears bedizened with the tawdry finery of Beau Clincher. *Sed transeat cum cæteris erroribus.*

The small quadrangle, or Close, if we may presume still to give it that appropriate, though antiquated title, which at Litchfield, Salisbury, and elsewhere, is properly applied to designate the enclosure adjacent to a cathedral, already evinced tokens of the fatal scene which was that day to be acted. The soldiers of the City Guard were on their posts, now enduring, and now rudely repelling with the buts of their muskets, the motley crew who thrust each other forward, to catch a glance at the unfortunate object of trial, as she should pass from the adjacent prison to the Court in which her fate was to be determined. All must have occasionally observed, with disgust, the apathy with which the vulgar gaze on scenes of this nature, and how seldom, unless when their sympathies are called forth by some striking and extraordinary circumstance, the crowd evince any interest deeper than that of callous, unthinking bustle, and brutal curiosity. They laugh, jest, quarrel, and push each other to and fro, with the same unfeeling indifference as if they were assembled for some holiday sport, or to see an

idle procession. Occasionally, however, this demeanour, so natural to the degraded populace of a large town, is exchanged for a temporary touch of human affections; and so it chanced on the present occasion.

When Deans and his daughter presented themselves in the Close, and endeavoured to make their way forward to the door of the Court-house, they became involved in the mob, and subject, of course, to their insolence. As Deans repelled with some force the rude pushes which he received on all sides, his figure and antiquated dress caught the attention of the rabble, who often show an intuitive sharpness in ascribing the proper character from external appearance,—

"Ye're welcome, whigs,
Frae Bothwell Briggs,"

sung one fellow, (for the mob of Edinburgh were at that time jacobitically disposed, probably because that was the line of sentiment most diametrically opposite to existing authority.)

"Mess David Williamson,
Chosen of twenty,
Ran up the pu'pit stair,
And sang Killiecrankie,"

chanted a siren, whose profession might be guessed by her appearance. A tattered caidie, or errand porter, whom David Deans had jostled in his attempt to extricate himself from the vicinity of these scorners, exclaimed in a strong north-country tone, "Ta deil ding out her Cameronian een—what gies her titles to dunch gentlemans about?"

"Make room for the ruling elder," said yet another; "he comes to see a precious sister glorify God in the Grassmarket!"

"Whisht; shame's in ye, sirs," said the voice of a man very loudly, which, as quickly sinking, said in a low, but distinct tone, "It's her father and sister."

All fell back to make way for the sufferers; and all, even the very rudest and most profligate, were struck with shame and silence. In the space thus abandoned to them by the mob, Deans stood, holding his daughter by the hand, and said to her, with a countenance strongly and sternly expressive of his internal emotion, "Ye hear with your ears, and ye see with your eyes, where and to whom the backslidings and defections of professors are ascribed by the scoffers. Not to themselves alone, but to the kirk of which they are members, and to its blessed and invisible Head. Then, weel may we take wi' patience our share and portion of this outspreading reproach."

The man who had spoken, no other than our old friend, Dumbiedikes, whose mouth, like that of the prophet's ass, had been opened by the emergency of the case, now joined them, and, with his usual taciturnity, escorted them into the Court-house. No opposition was offered to their entrance either by the guards or door-keepers; and it is even said that one of the latter refused a shilling of civility-money tendered him by the Laird of Dumbiedikes, who was of opinion that "siller wad make a' easy." But this last incident wants confirmation.

Admitted within the precincts of the Court-house, they found the usual number of busy office-bearers, and idle loiterers, who attend on these scenes by choice, or from duty. Burghers gaped and stared; young lawyers sauntered, sneered, and laughed, as in the pit of the theatre; while others apart sat on a bench retired, and reasoned highly, *inter apices juris*, on the doctrines of

constructive crime, and the true import of the statute. The bench was prepared for the arrival of the judges. The jurors were in attendance. The crown-counsel, employed in looking over their briefs and notes of evidence, looked grave, and whispered with each other. They occupied one side of a large table placed beneath the bench; on the other sat the advocates, whom the humanity of the Scottish law (in this particular more liberal than that of the sister-country) not only permits, but enjoins, to appear and assist with their advice and skill all persons under trial. Mr. Nichil Novit was seen actively instructing the counsel for the panel, (so the prisoner is called in Scottish law-phraseology,) busy, bustling, and important. When they entered the Court-room, Deans asked the Laird, in a tremulous whisper, "Where will *she* sit?"

Dumbiedikes whispered Novit, who pointed to a vacant space at the bar, fronting the judges, and was about to conduct Deans towards it.

"No!" he said; "I cannot sit by her—I cannot own her—not as yet, at least—I will keep out of her sight, and turn mine own eyes elsewhere—better for us baith."

Saddletree, whose repeated interference with the counsel had procured him one or two rebuffs, and a special request that he would concern himself with his own matters, now saw with pleasure an opportunity of playing the person of importance. He bustled up to the poor old man, and proceeded to exhibit his consequence, by securing, through his interest with the bar-keepers and macers, a seat for Deans, in a situation where he was hidden from the general eye by the projecting corner of the bench.

"It's gude to have a friend at court," he said, continu-

ing his heartless harangues to the passive auditor, who neither heard nor replied to them; "few folk but mysell could hae sorted ye out a seat like this—the Lords will be here incontinent, and proceed *instanter* to trial. They wunna fence the Court as they do at the Circuit—The High Court of Justiciary is aye fenced.—But, Lord's sake, what's this o't—Jeanie, ye are a cited witness—Macer, this lass is a witness—she maun be enclosed—she maun on nae account be at large.—Mr. Novit, suldna Jeanie Deans be enclosed?"

Novit answered in the affirmative, and offered to conduct Jeanie to the apartment, where, according to the scrupulous practice of the Scottish Court, the witnesses remain in readiness to be called into Court to give evidence; and separated, at the same time, from all who might influence their testimony, or give them information concerning that which was passing upon the trial.

"Is this necessary?" said Jeanie, still reluctant to quit her father's hand.

"A matter of absolute needcessity," said Saddletree; "wha ever heard of witnesses no being enclosed?"

"It is really a matter of necessity," said the younger counsellor, retained for her sister; and Jeanie reluctantly followed the macer of the Court to the place appointed.

"This, Mr. Deans," said Saddletree, "is ca'd sequestering a witness; but it's clean different (whilk maybe ye wadna fund out o' yoursell) frae sequestering ane's estate or effects, as in cases of bankruptcy. I hae aften been sequestered as a witness, for the Sheriff is in the use whiles to cry me in to witness the declarations at precognitions, and so is Mr. Sharpitlaw; but I was ne'er like to be sequestered o' land and gudes but ance, and that was lang syne, afore I was married. But whisht, whisht! here's the Court coming."

As he spoke, the five Lords of Justiciary, in their long robes of scarlet, faced with white, and preceded by their mace-bearer, entered with the usual formalities, and took their places upon the bench of judgment.

The audience rose to receive them; and the bustle occasioned by their entrance was hardly composed, when a great noise and confusion of persons struggling, and forcibly endeavouring to enter at the doors of the Court-room and of the galleries, announced that the prisoner was about to be placed at the bar. This tumult takes place when the doors, at first only opened to those either having right to be present, or to the better and more qualified ranks, are at length laid open to all whose curiosity induces them to be present on the occasion. With inflamed countenances and dishevelled dresses, struggling with, and sometimes tumbling over each other, in rushed the rude multitude, while a few soldiers, forming, as it were, the centre of the tide, could scarce, with all their efforts, clear a passage for the prisoner to the place which she was to occupy. By the authority of the Court, and the exertions of its officers, the tumult among the spectators was at length appeased, and the unhappy girl brought forward, and placed betwixt two sentinels with drawn bayonets, as a prisoner at the bar, where she was to abide her deliverance for good or evil, according to the issue of her trial.

CHAPTER XXII.

> We have strict statutes, and most biting laws—
> The needful bits and curbs for headstrong steeds—
> Which, for these fourteen years, we have let sleep,
> Like to an o'ergrown lion in a cave,
> That goes not out to prey.
>
> MEASURE FOR MEASURE.

"EUPHEMIA DEANS," said the presiding Judge, in an accent in which pity was blended with dignity, "stand up, and listen to the criminal indictment now to be preferred against you."

The unhappy girl, who had been stupefied by the confusion through which the guards had forced a passage, cast a bewildered look on the multitude of faces around her, which seemed to tapestry, as it were, the walls, in one broad slope from the ceiling to the floor, with human countenances, and instinctively obeyed a command, which rung in her ears like the trumpet of the judgment-day.

"Put back your hair, Effie," said one of the macers. For her beautiful and abundant tresses of long fair hair, which, according to the costume of the country, unmarried women were not allowed to cover with any sort of cap, and which, alas! Effie dared no longer confine with the snood or riband, which implied purity of maiden-fame, now hung unbound and dishevelled over her face, and almost concealed her features. On receiving this hint from the attendant, the unfortunate young woman, with a

hasty, trembling, and apparently mechanical compliance, shaded back from her face her luxuriant locks, and showed to the whole court, excepting one individual, a countenance, which, though pale and emaciated, was so lovely amid its agony, that it called forth a universal murmur of compassion and sympathy. Apparently the expressive sound of human feeling recalled the poor girl from the stupor of fear, which predominated at first over every other sensation, and awakened her to the no less painful sense of shame and exposure attached to her present situation. Her eye, which had at first glanced wildly around, was turned on the ground; her cheek, at first so deadly pale, began gradually to be overspread with a faint blush, which increased so fast, that, when in agony of shame she strove to conceal her face, her temples, her brow, her neck, and all that her slender fingers and small palms could not cover, became of the deepest crimson.

All marked and were moved by these changes, excepting one. It was old Deans, who, motionless in his seat, and concealed, as we have said, by the corner of the bench, from seeing or being seen, did, nevertheless, keep his eyes firmly fixed on the ground, as if determined that, by no possibility whatever, would he be an ocular witness of the shame of his house.

"Ichabod!" he said to himself—"Ichabod! my glory is departed!"

While these reflections were passing through his mind, the indictment, which set forth in technical form the crime of which the panel stood accused, was read as usual, and the prisoner was asked if she was Guilty, or Not Guilty.

"Not guilty of my poor bairn's death," said Effie Deans, in an accent corresponding in plaintive softness of tone to

the beauty of her features, and which was not heard by the audience without emotion.

The presiding Judge next directed the counsel to plead to the relevancy; that is, to state on either part the arguments in point of law, and evidence in point of fact, against and in favour of the criminal: after which it is the form of the Court to pronounce a preliminary judgment, sending the cause to the cognizance of the jury, or assize.

The counsel for the crown briefly stated the frequency of the crime of infanticide, which had given rise to the special statute under which the panel stood indicted. He mentioned the various instances, many of them marked with circumstances of atrocity, which had at length induced the King's Advocate, though with great reluctance, to make the experiment, whether, by strictly enforcing the Act of Parliament which had been made to prevent such enormities, their occurrence might be prevented. "He expected," he said, "to be able to establish by witnesses, as well as by the declaration of the panel herself, that she was in the state described by the statute. According to his information, the panel had communicated her pregnancy to no one, nor did she allege in her own declaration that she had done so. This secrecy was the first requisite in support of the indictment. The same declaration admitted, that she had borne a male child, in circumstances which gave but too much reason to believe it had died by the hands, or at least with the knowledge or consent, of the unhappy mother. It was not, however, necessary for him to bring positive proof that the panel was accessory to the murder, nay, nor even to prove that the child was murdered at all. It was sufficient to support the indictment, that it could not be found. According to the stern, but necessary

severity of this statute, she who should conceal her pregnancy, who should omit to call that assistance which is most necessary on such occasions, was held already to have meditated the death of her offspring, as an event most likely to be the consequence of her culpable and cruel concealment. And if, under such circumstances, she could not alternatively show by proof that the infant had died a natural death, or produce it still in life, she must, under the construction of the law, be held to have murdered it, and suffer death accordingly."

The counsel for the prisoner, Mr. Fairbrother, a man of considerable fame in his profession, did not pretend directly to combat the arguments of the King's Advocate. He began by lamenting that his senior at the bar, Mr. Langtale, had been suddenly called to the county of which he was Sheriff, and that he had been applied to, on short warning, to give the panel his assistance in this interesting case. He had had little time, he said, to make up for his inferiority to his learned brother by long and minute research; and he was afraid he might give a specimen of his incapacity, by being compelled to admit the accuracy of the indictment under the statute. "It was enough for their Lordships," he observed, "to know, that such was the law, and he admitted the Advocate had a right to call for the usual interlocutor of relevancy." But he stated, "that when he came to establish his case by proof, he trusted to make out circumstances which would satisfactorily elide the charge in the libel. His client's story was a short, but most melancholy one. She was bred up in the strictest tenets of religion and virtue, the daughter of a worthy and conscientious person, who, in evil times, had established a character for courage and religion, by becoming a sufferer for conscience' sake."

David Deans gave a convulsive start at hearing himself thus mentioned, and then resumed the situation, in which, with his face stooped against his hands, and both resting against the corner of the elevated bench on which the Judges sate, he had hitherto listened to the procedure in the trial. The Whig lawyers seemed to be interested; the Tories put up their lip.

"Whatever may be our difference of opinion," resumed the lawyer, whose business it was to carry his whole audience with him if possible, "concerning the peculiar tenets of these people," (here Deans groaned deeply,) "it is impossible to deny them the praise of sound, and even rigid morals, or the merit of training up their children in the fear of God; and yet it was the daughter of such a person whom a jury would shortly be called upon, in the absence of evidence, and upon mere presumptions, to convict of a crime, more properly belonging to a heathen, or a savage, than to a Christian and civilized country. It was true," he admitted, "that the excellent nurture and early instruction which the poor girl had received, had not been sufficient to preserve her from guilt and error. She had fallen a sacrifice to an inconsiderate affection for a young man of prepossessing manners, as he had been informed, but of a very dangerous and desperate character. She was seduced under promise of marriage—a promise, which the fellow might have, perhaps, done her justice by keeping, had he not at that time been called upon by the law to atone for a crime, violent and desperate in itself, but which became the preface to another eventful history, every step of which was marked by blood and guilt, and the final termination of which had not even yet arrived. He believed that no one would hear him without surprise, when he stated that the father

of this infant now amissing, and said by the learned Advocate to have been murdered, was no other than the notorious George Robertson, the accomplice of Wilson, the hero of the memorable escape from the Tolbooth Church, and, as no one knew better than his learned friend the Advocate, the principal actor in the Porteous conspiracy."—

"I am sorry to interrupt a counsel in such a case as the present," said the presiding Judge; "but I must remind the learned gentleman, that he is travelling out of the case before us."

The counsel bowed and resumed. "He only judged it necessary," he said, "to mention the name and situation of Robertson, because the circumstance in which that character was placed, went a great way in accounting for the silence on which his Majesty's counsel had laid so much weight, as affording proof that his client proposed to allow no fair play for its life, to the helpless being whom she was about to bring into the world. She had not announced to her friends that she had been seduced from the path of honour—and why had she not done so?—Because she expected daily to be restored to character, by her seducer doing her that justice which she knew to be in his power, and believed to be in his inclination. Was it natural—was it reasonable—was it fair, to expect, that she should, in the interim, become *felo de se* of her own character, and proclaim her frailty to the world, when she had every reason to expect, that, by concealing it for a season, it might be veiled forever? Was it not, on the contrary, pardonable, that, in such an emergency, a young woman, in such a situation, should be found far from disposed to make a confidant of every prying gossip, who, with sharp eyes, and eager ears, pressed upon her for an

explanation of suspicious circumstances, which females in the lower—he might say which females of all ranks, are so alert in noticing, that they sometimes discover them where they do not exist? Was it strange, or was it criminal, that she should have repelled their inquisitive impertinence, with petulant denials? The sense and feeling of all who heard him would answer directly in the negative. But although his client had thus remained silent towards those to whom she was not called upon to communicate her situation,—to whom," said the learned gentleman, "I will add, it would have been unadvised and improper in her to have done so; yet, I trust, I shall remove this case most triumphantly from under the statute, and obtain the unfortunate young woman an honourable dismission from your Lordships' bar, by showing that she did, in due time and place, and to a person most fit for such confidence, mention the calamitous circumstances in which she found herself. This occurred after Robertson's conviction, and when he was lying in prison in expectation of the fate which his comrade Wilson afterwards suffered, and from which he himself so strangely escaped. It was then, when all hopes of having her honour repaired by wedlock vanished from her eyes, —when an union with one in Robertson's situation, if still practicable, might, perhaps, have been regarded rather as an addition to her disgrace,—it was *then*, that I trust to be able to prove that the prisoner communicated and consulted with her sister, a young woman several years older than herself, the daughter of her father, if I mistake not, by a former marriage, upon the perils and distress of her unhappy situation."

"If, indeed, you are able to instruct *that* point, Mr. Fairbrother," said the presiding Judge——

"If I am indeed able to instruct that point, my Lord," resumed Mr. Fairbrother, "I trust not only to serve my client, but to relieve your Lordships from that which I know you feel the most painful duty of your high office; and to give all who now hear me the exquisite pleasure of beholding a creature so young, so ingenuous, and so beautiful, as she that is now at the bar of your Lordships' Court, dismissed from thence in safety and in honour."

This address seemed to affect many of the audience, and was followed by a slight murmur of applause. Deans, as he heard his daughter's beauty and innocent appearance appealed to, was involuntarily about to turn his eyes towards her; but, recollecting himself, he bent them again on the ground with stubborn resolution.

"Will not my learned brother, on the other side of the bar," continued the advocate, after a short pause, "share in this general joy, since, I know, while he discharges his duty in bringing an accused person here, no one rejoices more in their being freely and honourably sent hence? My learned brother shakes his head doubtfully and lays his hand on the panel's declaration. I understand him perfectly—he would insinuate that the facts now stated to your Lordships are inconsistent with the confession of Euphemia Deans herself. I need not remind your Lordships, that her present defence is no whit to be narrowed within the bounds of her former confession; and that it is not by any account which she may formerly have given of herself, but by what is now to be proved for or against her, that she must ultimately stand or fall. I am not under the necessity of accounting for her choosing to drop out of her declaration the circumstances of her confession to her sister. She might not be aware of its importance;

she might be afraid of implicating her sister; she might even have forgotten the circumstance entirely, in the terror and distress of mind incidental to the arrest of so young a creature on a charge so heinous. Any of these reasons are sufficient to account for her having suppressed the truth in this instance, at whatever risk to herself; and I incline most to her erroneous fear of criminating her sister, because I observe she has had a similar tenderness towards her lover, (however undeserved on his part,) and has never once mentioned Robertson's name from beginning to end of her declaration.

"But, my Lords," continued Fairbrother, "I am aware the King's Advocate will expect me to show, that the proof I offer is consistent with other circumstances of the case, which I do not and cannot deny. He will demand of me how Effie Deans's confession to her sister, previous to her delivery, is reconcilable with the mystery of the birth,—with the disappearance, perhaps the murder (for I will not deny a possibility which I cannot disprove) of the infant. My Lords, the explanation of this is to be found in the placability, perchance, I may say, in the facility and pliability, of the female sex. The *dulcis Amaryllidis iræ*, as your Lordships well know, are easily appeased; nor is it possible to conceive a woman so atrociously offended by the man whom she has loved, but what she will retain a fund of forgiveness, upon which his penitence, whether real or affected, may draw largely, with a certainty that his bills will be answered. We can prove, by a letter produced in evidence, that this villain Robertson, from the bottom of the dungeon whence he already probably meditated the escape, which he afterwards accomplished by the assistance of his comrade, contrived to exercise authority over the mind, and to direct the

motions, of this unhappy girl. It was in compliance with his injunctions, expressed in that letter, that the panel was prevailed upon to alter the line of conduct which her own better thoughts had suggested; and, instead of resorting, when her time of travail approached, to the protection of her own family, was induced to confide herself to the charge of some vile agent of this nefarious seducer, and by her conducted to one of those solitary and secret purlieus of villany, which, to the shame of our police, still are suffered to exist in the suburbs of this city, where, with the assistance, and under the charge, of a person of her own sex, she bore a male-child, under circumstances which added treble bitterness to the wo denounced against our original mother. What purpose Robertson had in all this, it is hard to tell, or even to guess. He may have meant to marry the girl, for her father is a man of substance. But, for the termination of the story, and the conduct of the woman whom he had placed about the person of Euphemia Deans, it is still more difficult to account. The unfortunate young woman was visited by the fever incidental to her situation. In this fever she appears to have been deceived by the person that waited on her, and, on recovering her senses, she found that she was childless in that abode of misery. Her infant had been carried off, perhaps for the worst purposes, by the wretch that waited on her. It may have been murdered, for what I can tell."

He was here interrupted by a piercing shriek, uttered by the unfortunate prisoner. She was with difficulty brought to compose herself. Her counsel availed himself of the tragical interruption, to close his pleading with effect.

"My Lords," said he, "in that piteous cry you heard

the eloquence of maternal affection, far surpassing the force of my poor words—Rachel weeping for her children! Nature herself bears testimony in favour of the tenderness and acuteness of the prisoner's parental feelings. I will not dishonour her plea by adding a word more."

"Heard ye ever the like o' that, Laird?" said Saddletree to Dumbiedikes, when the counsel had ended his speech. "There's a chield can spin a muckle pirn out of a wee tait of tow! Deil haet he kens mair about it than what's in the declaration, and a surmise that Jeanie Deans suld hae been able to say something about her sister's situation, whilk surmise, Mr. Crossmyloof says, rests on sma' authority. And he's cleckit this great muckle bird out o' this wee egg! He could wile the very flounders out o' the Firth.—What garr'd my father no send me to Utrecht?—But whisht, the Court is gaun to pronounce the interlocutor of relevancy."

And accordingly the Judges, after a few words, recorded their judgment, which bore, that the indictment, if proved, was relevant to infer the pains of law: And that the defence, that the panel had communicated her situation to her sister, was a relevant defence: And, finally, appointed the said indictment and defence to be submitted to the judgment of an assize.

CHAPTER XXIII.

Most righteous judge! a sentence.—Come, prepare.
MERCHANT OF VENICE.

It is by no means my intention to describe minutely the forms of a Scottish criminal trial, nor am I sure that I could draw up an account so intelligible and accurate as to abide the criticism of the gentlemen of the long robe. It is enough to say that the jury was impanelled, and the case proceeded. The prisoner was again required to plead to the charge, and she again replied, "Not Guilty," in the same heart-thrilling tone as before.

The crown counsel then called two or three female witnesses, by whose testimony it was established that Effie's situation had been remarked by them, that they had taxed her with the fact, and that her answers had amounted to an angry and petulant denial of what they charged her with. But, as very frequently happens, the declaration of the panel or accused party herself, was the evidence which bore hardest upon her case.

In the event of these tales ever finding their way across the Border, it may be proper to apprise the southern reader that it is the practice in Scotland, on apprehending a suspected person, to subject him to a judicial examination before a magistrate. He is not compelled to answer any of the questions asked of him, but may remain silent if he sees it his interest to do so. But

whatever answers he chooses to give are formally written down, and being subscribed by himself and the magistrate, are produced against the accused in case of his being brought to trial. It is true, that these declarations are not produced as being in themselves evidence properly so called, but only as *adminicles* of testimony, tending to corroborate what is considered as legal and proper evidence. Notwithstanding this nice distinction, however, introduced by lawyers to reconcile this procedure to their own general rule, that a man cannot be required to bear witness against himself, it, nevertheless, usually happens that these declarations become the means of condemning the accused, as it were, out of their own mouths. The prisoner, upon these previous examinations, has indeed the privilege of remaining silent if he pleases; but every man necessarily feels that a refusal to answer natural and pertinent interrogatories, put by judicial authority, is in itself a strong proof of guilt, and will certainly lead to his being committed to prison; and few can renounce the hope of obtaining liberty, by giving some specious account of themselves, and showing apparent frankness in explaining their motives and accounting for their conduct. It therefore seldom happens that the prisoner refuses to give a judicial declaration, in which, nevertheless, either by letting out too much of the truth, or by endeavouring to substitute a fictitious story, he almost always exposes himself to suspicion and to contradictions, which weigh heavily in the minds of the jury.

The declaration of Effie Deans was uttered on other principles, and the following is a sketch of its contents, given in the judicial form, in which they may still be found in the Books of Adjournal.

The declarant admitted a criminal intrigue with an individual whose name she desired to conceal. "Being interrogated, what her reason was for secrecy on this point? She declared that she had no right to blame that person's conduct more than she did her own, and that she was willing to confess her own faults, but not to say any thing which might criminate the absent. Interrogated, if she confessed her situation to any one, or made any preparation for her confinement? Declares, she did not. And being interrogated, why she forbore to take steps which her situation so peremptorily required? Declares, she was ashamed to tell her friends, and she trusted the person she has mentioned would provide for her and the infant. Interrogated, if he did so? Declares, that he did not do so personally; but that it was not his fault, for that the declarant is convinced he would have laid down his life sooner than the bairn or she had come to harm. Interrogated, what prevented him from keeping his promise? Declares, that it was impossible for him to do so, he being under trouble at the time, and declines farther answer to this question. Interrogated, where she was from the period she left her master, Mr. Saddletree's family, until her appearance at her father's, at St. Leonard's, the day before she was apprehended? Declares, she does not remember. And, on the interrogatory being repeated, declares, she does not mind muckle about it, for she was very ill. On the question being again repeated, she declares, she will tell the truth, if it should be the undoing of her, so long as she is not asked to tell on other folk; and admits, that she passed that interval of time in the lodging of a woman, an acquaintance of that person who had wished her to that place to be delivered, and that she was there

delivered accordingly of a male child. Interrogated, what was the name of that person? Declares and refuses to answer this question. Interrogated, where she lives? Declares, she has no certainty, for that she was taken to the lodging aforesaid under cloud of night. Interrogated, if the lodging was in the city or suburbs? Declares and refuses to answer that question. Interrogated, whether, when she left the house of Mr. Saddletree, she went up or down the street? Declares and refuses to answer the question. Interrogated, whether she had ever seen the woman before she was wished to her, as she termed it, by the person whose name she refuses to answer? Declares and replies, not to her knowledge. Interrogated, whether this woman was introduced to her by the said person verbally, or by word of mouth? Declares, she has no freedom to answer this question. Interrogated, if the child was alive when it was born? Declares, that—God help her and it!—it certainly was alive. Interrogated, if it died a natural death after birth? Declares, not to her knowledge. Interrogated, where it now is? Declares, she would give her right hand to ken, but that she never hopes to see mair than the banes of it. And being interrogated, why she supposes it is now dead? the declarant wept bitterly and made no answer. Interrogated, if the woman, in whose lodging she was, seemed to be a fit person to be with her in that situation? Declares, she might be fit enough for skill, but that she was an hard-hearted bad woman. Interrogated, if there was any other person in the lodging excepting themselves two? Declares, that she thinks there was another woman; but her head was so carried with pain of body and trouble of mind, that she minded her very little. Interrogated, when the child

was taken away from her? Declared, that she fell in a fever, and was light-headed, and when she came to her own mind, the woman told her the bairn was dead; and that the declarant answered, if it was dead, it had had foul play. That, thereupon, the woman was very sair on her, and gave her much ill language; and that the deponent was frightened, and crawled out of the house when her back was turned, and went home to St. Leonard's Crags, as well as a woman in her condition dought.* Interrogated, why she did not tell her story to her sister and father, and get force to search the house for her child, dead or alive? Declares, it was her purpose to do so, but she had not time. Interrogated, why she now conceals the name of the woman, and the place of her abode? The declarant remained silent for a time, and then said, that to do so could not repair the skaith that was done, but might be the occasion of more. Interrogated, whether she had herself, at any time, had any purpose of putting away the child by violence? Declares, never; so might God be merciful to her—and then again declares, never, when she was in her perfect senses; but what bad thoughts the Enemy might put into her brain when she was out of herself, she cannot answer. And again solemnly interrogated, declares, that she would have been drawn with wild horses, rather than have touched the bairn with an unmotherly hand. Interrogated, declares, that among the ill-language the woman gave her, she did say sure enough that the declarant had hurt the bairn when she was in the brain fever; but that the declarant does not believe that she said this from any other cause than to frighten her, and make her be silent. Interrogated, what else the woman

* *i. e.*, was able to do.

said to her? Declares, that when the declarant cried loud for her bairn, and was like to raise the neighbours, the woman threatened her, that they that could stop the wean's skirling would stop hers, if she did not keep a' the lounder.* And that this threat, with the manner of the woman, made the declarant conclude, that the bairn's life was gone, and her own in danger, for that the woman was a desperate bad woman, as the declarant judged from the language she used. Interrogated, declares, that the fever and delirium were brought on her by hearing bad news, suddenly told to her, but refuses to say what the said news related to. Interrogated, why she does not now communicate these particulars, which might, perhaps, enable the magistrate to ascertain whether the child is living or dead; and requested to observe, that her refusing to do so exposes her own life, and leaves the child in bad hands; as also, that her present refusal to answer on such points, is inconsistent with her alleged intention to make a clean breast to her sister? Declares, that she kens the bairn is now dead, or, if living, there is one that will look after it; that for her own living or dying, she is in God's hands, who knows her innocence of harming her bairn with her will or knowledge; and that she has altered her resolution of speaking out, which she entertained when she left the woman's lodging, on account of a matter which she has since learned. And declares, in general, that she is wearied, and will answer no more questions at this time."

Upon a subsequent examination, Euphemia Deans adhered to the declaration she had formerly made, with this addition, that a paper found in her trunk being shown to her, she admitted that it contained the creden-

* *i. e.*, the quieter.

tials, in consequence of which she resigned herself to the conduct of the woman at whose lodgings she was delivered of the child. Its tenor ran thus:—

"DEAREST EFFIE,—I have gotten the means to send to you by a woman who is well qualified to assist you in your approaching streight; she is not what I could wish her, but I cannot do better for you in my present condition. I am obliged to trust to her in this present calamity, for myself and you too. I hope for the best, though I am now in a sore pinch; yet thought is free—I think Handie Dandie and I may queer the stifler* for all that is come and gone. You will be angry for me writing this, to my little Cameronian Lily; but if I can but live to be a comfort to you, and a father to your babie, you will have plenty of time to scold.—Once more, let none know your counsel—my life depends on this hag, d—n her—she is both deep and dangerous, but she has more wiles and wit than ever were in a beldam's head, and has cause to be true to me. Farewell, my Lily—Do not droop on my account—in a week I will be yours, or no more my own."

Then followed a postscript. "If they must truss me, I will repent of nothing so much, even at the last hard pinch, as of the injury I have done my Lily."

Effie refused to say from whom she had received this letter, but enough of the story was now known, to ascertain that it came from Robertson; and from the date, it appeared to have been written about the time when Andrew Wilson (called for a nickname Handie Dandie)

* Avoid the gallows.

and he were meditating their first abortive attempt to escape, which miscarried in the manner mentioned in the beginning of this history.

The evidence of the Crown being concluded, the counsel for the prisoner began to lead a proof in her defence. The first witnesses were examined upon the girl's character. All gave her an excellent one, but none with more feeling than worthy Mrs. Saddletree, who, with the tears on her cheeks, declared, that she could not have had a higher opinion of Effie Deans, nor a more sincere regard for her, if she had been her own daughter. All present gave the honest woman credit for her goodness of heart, excepting her husband, who whispered to Dumbiedikes, "That Nichil Novit of yours is but a raw hand at leading evidence, I'm thinking. What signified his bringing a woman here to snotter and snivel, and bather their Lordships? He should hae ceeted me, sir, and I should hae gien them sic a screed o' testimony, they shouldna hae touched a hair o' her head."

"Hadna ye better get up and try't yet?" said the Laird. "I'll mak a sign to Novit."

"Na, na," said Saddletree, "thank ye for naething, neighbour—that would be ultroneous evidence, and I ken what belangs to that; but Nichil Novit suld hae had me ceeted *debito tempore*." And wiping his mouth with his silk handkerchief with great importance, he resumed the port and manner of an edified and intelligent auditor.

Mr. Fairbrother now premised, in a few words, "that he meant to bring forward his most important witness, upon whose evidence the cause must in a great measure depend. What his client was, they had learned from the preceding witnesses; and so far as general character, given in the most forcible terms, and even with tears,

could interest every one in her fate, she had already gained that advantage. It was necessary, he admitted, that he should produce more positive testimony of her innocence than what arose out of general character, and this he undertook to do by the mouth of the person to whom she had communicated her situation—by the mouth of her natural counsellor and guardian—her sister.—Macer, call into court, Jean, or Jeanie Deans, daughter of David Deans, cowfeeder, at Saint Leonard's Crags."

When he uttered these words, the poor prisoner instantly started up, and stretched herself half-way over the bar, towards the side at which her sister was to enter. And when, slowly following the officer, the witness advanced to the foot of the table, Effie, with the whole expression of her countenance altered, from that of confused shame and dismay, to an eager, imploring, and almost ecstatic earnestness of entreaty, with outstretched hands, hair streaming back, eyes raised eagerly to her sister's face, and glistening through tears, exclaimed, in a tone which went through the heart of all who heard her,—"O Jeanie, Jeanie, save me, save me!"

With a different feeling, yet equally appropriated to his proud and self-dependent character, old Deans drew himself back still farther under the cover of the bench; so that when Jeanie, as she entered the court, cast a timid glance towards the place at which she had left him seated, his venerable figure was no longer visible. He sate down on the other side of Dumbiedikes, wrung his hand hard, and whispered, "Ah, Laird, this is warst of a'—if I can but win ower this part—I feel my head unco dizzy; but my Master is strong in his servant's weakness." After a moment's mental prayer, he again started up, as if impatient of continuing in any one posture, and gradually

edged himself forward towards the place he had just quitted.

Jeanie in the meantime had advanced to the bottom of the table, when, unable to resist the impulse of affection, she suddenly extended her hand to her sister. Effie was just within the distance that she could seize it with both hers, press it to her mouth, cover it with kisses, and bathe it in tears, with the fond devotion that a Catholic would pay to a guardian saint descended for his safety; while Jeanie, hiding her own face with her other hand, wept bitterly. The sight would have moved a heart of stone, much more of flesh and blood. Many of the spectators shed tears, and it was some time before the presiding Judge himself could so far subdue his emotion, as to request the witness to compose herself, and the prisoner to forbear those marks of eager affection, which, however natural, could not be permitted at that time, and in that presence.

The solemn oath,—"the truth to tell, and no truth to conceal, as far as she knew or should be asked," was then administered by the Judge "in the name of God, and as the witness should answer to God at the great day of judgment;" an awful adjuration, which seldom fails to make impression even on the most hardened characters, and to strike with fear even the most upright. Jeanie, educated in deep and devout reverence for the name and attributes of the Deity, was, by the solemnity of a direct appeal to his person and justice, awed, but at the same time elevated above all considerations, save those which she could, with a clear conscience, call HIM to witness. She repeated the form in a low and reverent, but distinct tone of voice, after the Judge, to whom, and not to any inferior officer of the Court, the task is assigned in Scot-

land of directing the witness in that solemn appeal, which is the sanction of his testimony.

When the Judge had finished the established form, he added in a feeling, but yet a monitory tone, an advice, which the circumstances appeared to him to call for.

"Young woman," these were his words, "you come before this Court in circumstances, which it would be worse than cruel not to pity and to sympathize with. Yet it is my duty to tell you, that the truth, whatever its consequences may be, the truth is what you owe to your country, and to that God whose word is truth, and whose name you have now invoked. Use your own time in answering the questions that gentleman" (pointing to the counsel) "shall put to you.—But remember, that what you may be tempted to say beyond what is the actual truth, you must answer both here and hereafter."

The usual questions were then put to her:—Whether any one had instructed her what evidence she had to deliver? Whether any one had given or promised her any good deed, hire, or reward, for her testimony? Whether she had any malice or ill-will at his Majesty's Advocate, being the party against whom she was cited as a witness? To which questions she successively answered by a quiet negative. But their tenor gave great scandal and offence to her father, who was not aware that they are put to every witness as a matter of form.

"Na, na," he exclaimed, loud enough to be heard, "my bairn is no like the widow of Tekoah—nae man has putten words into her mouth."

One of the Judges, better acquainted, perhaps, with the Books of Adjournal than with the Book of Samuel, was disposed to make some instant inquiry after this Widow of Tekoah, who, as he construed the matter, had been

tampering with the evidence. But the presiding Judge, better versed in Scripture history, whispered to his learned brother the necessary explanation; and the pause occasioned by this mistake, had the good effect of giving Jeanie Deans time to collect her spirits for the painful task she had to perform.

Fairbrother, whose practice and intelligence were considerable, saw the necessity of letting the witness compose herself. In his heart he suspected that she came to bear false witness in her sister's cause.

"But that is her own affair," thought Fairbrother; "and it is my business to see that she has plenty of time to regain composure, and to deliver her evidence, be it true, or be it false—*valeat quantum.*"

Accordingly, he commenced his interrogatories with uninteresting questions, which admitted of instant reply.

"You are, I think, the sister of the prisoner?"

"Yes, sir."

"Not the full sister, however?"

"No, sir—we are by different mothers."

"True; and you are, I think, several years older than your sister?"

"Yes, sir," &c.

After the advocate had conceived that, by these preliminary and unimportant questions, he had familiarized the witness with the situation in which she stood, he asked, "whether she had not remarked her sister's state of health to be altered, during the latter part of the term when she had lived with Mrs. Saddletree?"

Jeanie answered in the affirmative.

"And she told you the cause of it, my dear, I suppose?" said Fairbrother, in an easy, and, as one may say, an inductive sort of tone.

"I am sorry to interrupt my brother," said the Crown Counsel, rising; "but I am in your Lordships' judgment, whether this be not a leading question?"

"If this point is to be debated," said the presiding Judge, "the witness must be removed."

For the Scottish lawyers regard with a sacred and scrupulous horror every question so shaped by the counsel examining, as to convey to a witness the least intimation of the nature of the answer which is desired from him. These scruples, though founded on an excellent principle, are sometimes carried to an absurd pitch of nicety, especially as it is generally easy for a lawyer who has his wits about him to elude the objection. Fairbrother did so in the present case.

"It is not necessary to waste the time of the Court, my Lord; since the King's Counsel thinks it worth while to object to the form of my question, I will shape it otherwise.—Pray, young woman, did you ask your sister any question when you observed her looking unwell?—take courage—speak out."

"I asked her," replied Jeanie, "what ailed her."

"Very well—take your own time—and what was the answer she made?" continued Mr. Fairbrother.

Jeanie was silent, and looked deadly pale. It was not that she at any one instant entertained an idea of the possibility of prevarication—it was the natural hesitation to extinguish the last spark of hope that remained for her sister.

"Take courage, young woman," said Fairbrother.—"I asked what your sister said ailed her when you inquired?"

"Nothing," answered Jeanie, with a faint voice, which was yet heard distinctly in the most distant corner of the

Court-room,—such an awful and profound silence had been preserved during the anxious interval, which had interposed betwixt the lawyer's question and the answer of the witness.

Fairbrother's countenance fell; but with that ready presence of mind, which is as useful in civil as in military emergencies, he immediately rallied.—"Nothing? True; you mean nothing at *first*—but when you asked her again, did she not tell you what ailed her?"

The question was put in a tone meant to make her comprehend the importance of her answer, had she not been already aware of it. The ice was broken, however, and, with less pause than at first, she now replied,—"Alack! alack! she never breathed word to me about it."

A deep groan passed through the Court. It was echoed by one deeper and more agonized from the unfortunate father. The hope, to which unconsciously, and in spite of himself, he had still secretly clung, had now dissolved, and the venerable old man fell forward senseless on the floor of the Court-house, with his head at the foot of his terrified daughter. The unfortunate prisoner, with impotent passion, strove with the guards betwixt whom she was placed. "Let me gang to my father!—I *will* gang to him—I *will* gang to him—he is dead—he is killed—I hae killed him!" she repeated, in frenzied tones of grief, which those who heard them did not speedily forget.

Even in this moment of agony and general confusion, Jeanie did not lose that superiority, which a deep and firm mind assures to its possessor, under the most trying circumstances.

"He is my father—he is our father," she mildly repeated to those who endeavoured to separate them, as she

stooped,—shaded aside his grey hairs, and began assiduously to chafe his temples.

The Judge, after repeatedly wiping his eyes, gave directions that they should be conducted into a neighbouring apartment, and carefully attended. The prisoner, as her father was borne from the Court, and her sister slowly followed, pursued them with her eyes so earnestly fixed, as if they would have started from their sockets. But when they were no longer visible, she seemed to find, in her despairing and deserted state, a courage which she had not yet exhibited.

"The bitterness of it is now past," she said, and then boldly addressed the Court. "My Lords, if it is your pleasure to gang on wi' this matter, the weariest day will hae its end at last."

The Judge, who much to his honour, had shared deeply in the general sympathy, was surprised at being recalled to his duty by the prisoner. He collected himself, and requested to know if the panel's counsel had more evidence to produce. Fairbrother replied, with an air of dejection, that his proof was concluded.

The King's Counsel addressed the jury for the crown. He said in a few words, that no one could be more concerned than he was for the distressing scene which they had just witnessed. But it was the necessary consequence of great crimes to bring distress and ruin upon all connected with the perpetrators. He briefly reviewed the proof, in which he showed that all the circumstances of the case concurred with those required by the act under which the unfortunate prisoner was tried: That the counsel for the panel had totally failed in proving, that Euphemia Deans had communicated her situation to her sister: That, respecting her previous good character,

he was sorry to observe, that it was females who possessed the world's good report, and to whom it was justly valuable, who were most strongly tempted, by shame and fear of the world's censure, to the crime of infanticide: That the child was murdered, he professed to entertain no doubt. The vacillating and inconsistent declaration of the prisoner herself, marked as it was by numerous refusals to speak the truth on subjects, when, according to her own story, it would have been natural, as well as advantageous, to have been candid; even this imperfect declaration left no doubt in his mind as to the fate of the unhappy infant. Neither could he doubt that the panel was a partner in this guilt. Who else had an interest in a deed so inhuman? Surely neither Robertson, nor Robertson's agent, in whose house she was delivered, had the least temptation to commit such a crime, unless upon her account, with her connivance, and for the sake of saving her reputation. But it was not required of him, by the law, that he should bring precise proof of the murder, or of the prisoner's accession to it. It was the very purpose of the statute to substitute a certain chain of presumptive evidence in place of a probation, which, in such cases, it was peculiarly difficult to obtain. The jury might peruse the statute itself, and they had also the libel and interlocutor of relevancy to direct them in point of law. He put it to the conscience of the jury, that under both he was entitled to a verdict of Guilty.

The charge of Fairbrother was much cramped by his having failed in the proof which he expected to lead. But he fought his losing cause with courage and constancy. He ventured to arraign the severity of the statute under which the young woman was tried. "In all other cases," he said, "the first thing required of the

criminal prosecutor was, to prove unequivocally that the crime libelled had actually been committed, which lawyers called proving the *corpus delicti*. But this statute, made doubtless with the best intentions, and under the impulse of a just horror for the unnatural crime of infanticide, ran the risk of itself occasioning the worst of murders, the death of an innocent person, to atone for a supposed crime which may never have been committed by any one. He was so far from acknowledging the alleged probability of the child's violent death, that he could not even allow that there was evidence of its having ever lived."

The King's Counsel pointed to the woman's declaration; to which the counsel replied—"A production concocted in a moment of terror and agony, and which approached to insanity," he said, "his learned brother well knew was no sound evidence against the party who emitted it. It was true, that a judicial confession, in presence of the Justices themselves, was the strongest of all proof, in so much that it is said in law, that '*in confitentem nullæ sunt partes judicis.*' But this was true of judicial confession only, by which law meant that which is made in presence of the justices, and the sworn inquest. Of extrajudicial confession, all authorities held with the illustrious Farinaceus, and Matheus, '*confessio extrajudicialis in se nulla est; et quod nullum est, non potest adminiculari.*' It was totally inept, and void of all strength and effect from the beginning; incapable, therefore, of being bolstered up or supported, or, according to the law-phrase, adminiculated, by other presumptive circumstances. In the present case, therefore, letting the extrajudicial confession go, as it ought to go, for nothing," he contended, "the prosecutor had not made out the

second quality of the statute, that a live child had been born; and *that*, at least, ought to be established before presumptions were received that it had been murdered. If any of the assize," he said, "should be of opinion that this was dealing rather narrowly with the statute, they ought to consider that it was in its nature highly penal, and therefore entitled to no favourable construction."

He concluded a learned speech, with an eloquent peroration on the scene they had just witnessed, during which Saddletree fell fast asleep.

It was now the presiding Judge's turn to address the jury. He did so briefly and distinctly.

"It was for the jury," he said, "to consider whether the prosecutor had made out his plea. For himself, he sincerely grieved to say, that a shadow of doubt remained not upon his mind concerning the verdict which the inquest had to bring in. He would not follow the prisoner's counsel through the impeachment which he had brought against the statute of King William and Queen Mary. He and the jury were sworn to judge according to the laws as they stood, not to criticise, or evade, or even to justify them. In no civil case would a counsel have been permitted to plead his client's case in the teeth of the law; but in the hard situation in which counsel were often placed in the Criminal Court, as well as out of favour to all presumptions of innocence, he had not inclined to interrupt the learned gentleman, or narrow his plea. The present law, as it now stood, had been instituted by the wisdom of their fathers, to check the alarming progress of a dreadful crime; when it was found too severe for its purpose, it would doubtless be altered by the wisdom of the legislature; at present it was the law of the land, the rule of the Court, and, according to the

oath which they had taken, it must be that of the jury. This unhappy girl's situation could not be doubted; that she had borne a child, and that the child had disappeared, were certain facts. The learned counsel had failed to show that she had communicated her situation. All the requisites of the case required by the statute were therefore before the jury. The learned gentleman had, indeed, desired them to throw out of consideration the panel's own confession, which was the plea usually urged, in penury of all others, by counsel in his situation, who usually felt that the declarations of their clients bore hard on them. But that the Scottish law designed that a certain weight should be laid on these declarations, which, he admitted, were *quodammodo* extrajudicial, was evident from the universal practice by which they were always produced and read, as part of the prosecutor's probation. In the present case, no person, who had heard the witnesses describe the appearance of the young woman before she left Saddletree's house, and contrasted it with that of her state and condition at her return to her father's, could have any doubt that the fact of delivery had taken place, as set forth in her own declaration, which was, therefore, not a solitary piece of testimony, but adminiculated and supported by the strongest circumstantial proof.

"He did not," he said, "state the impression upon his own mind with the purpose of biassing theirs. He had felt no less than they had done from the scene of domestic misery which had been exhibited before them; and if they, having God and a good conscience, the sanctity of their oath, and the regard due to the law of the country, before their eyes, could come to a conclusion favourable to this unhappy prisoner, he should rejoice as much as

any one in Court; for never had he found his duty more distressing than in discharging it that day, and glad he would be to be relieved from the still more painful task which would otherwise remain for him."

The jury, having heard the Judge's address, bowed and retired, preceded by a macer of Court, to the apartment destined for their deliberation.

CHAPTER XXIV.

Law, take thy victim—May she find the mercy
In yon mild heaven, which this hard world denies her!

It was an hour ere the jurors returned, and as they traversed the crowd with slow steps, as men about to discharge themselves of a heavy and painful responsibility, the audience was hushed into profound, earnest, and awful silence.

"Have you agreed on your chancellor, gentlemen?" was the first question of the Judge.

The foreman, called in Scotland the chancellor of the jury, usually the man of best rank and estimation among the assizers, stepped forward, and with a low reverence, delivered to the Court a sealed paper, containing the verdict, which, until of late years, that verbal returns are in some instances permitted, was always couched in writing. The jury remained standing while the Judge broke the seals, and, having perused the paper, handed it with an air of mournful gravity, down to the clerk of Court, who proceeded to engross in the record the yet unknown verdict, of which, however, all omened the tragical contents. A form still remained, trifling and unimportant in itself, but to which imagination adds a sort of solemnity, from the awful occasion upon which it is used. A lighted candle was placed on the table, the

original paper containing the verdict was enclosed in a sheet of paper, and, sealed with the Judge's own signet, was transmitted to the Crown Office, to be preserved among other records of the same kind. As all this is transacted in profound silence, the producing and extinguishing the candle seems a type of the human spark which is shortly afterwards doomed to be quenched, and excites in the spectators something of the same effect which in England is obtained by the Judge assuming the fatal cap of judgment. When these preliminary forms had been gone through, the Judge required Euphemia Deans to attend to the verdict to be read.

After the usual words of style, the verdict set forth, that the Jury having made choice of John Kirk, Esq., to be their chancellor, and Thomas Moore, merchant, to be their clerk, did by a plurality of voices, find the said Euphemia Deans GUILTY of the crime libelled; but, in consideration of her extreme youth, and the cruel circumstances of her case, did earnestly entreat that the Judge would recommend her to the mercy of the Crown.

"Gentlemen," said the Judge, "you have done your duty—and a painful one it must have been to men of humanity like you. I will, undoubtedly, transmit your recommendation to the throne. But it is my duty to tell all who now hear me, but especially to inform that unhappy young woman, in order that her mind may be settled accordingly, that I have not the least hope of a pardon being granted in the present case. You know the crime has been increasing in this land, and I know farther, that this has been ascribed to the lenity in which the laws have been exercised, and that there is therefore no hope whatever of obtaining a remission for this offence." The jury bowed again, and, released from their pain-

ful office, dispersed themselves among the mass of bystanders.

The Court then asked Mr. Fairbrother, whether he had any thing to say, why judgment should not follow on the verdict? The counsel had spent some time in perusing and reperusing the verdict, counting the letters in each juror's name, and weighing every phrase, nay, every syllable in the nicest scales of legal criticism. But the clerk of the jury had understood his business too well. No flaw was to be found, and Fairbrother mournfully intimated, that he had nothing to say in arrest of judgment.

The presiding Judge then addressed the unhappy prisoner:—"Euphemia Deans, attend to the sentence of the Court now to be pronounced against you."

She rose from her seat, and with a composure far greater than could have been augured from her demeanour during some parts of the trial, abode the conclusion of the awful scene. So nearly does the mental portion of our feelings resemble those which are corporeal, that the first severe blows which we receive bring with them a stunning apathy, which renders us indifferent to those that follow them. Thus said Mandrin, when he was undergoing the punishment of the wheel; and so have all felt, upon whom successive inflictions have descended with continuous and reiterated violence.

"Young woman," said the Judge, "it is my painful duty to tell you, that your life is forfeited under a law, which, if it may seem in some degree severe, is yet wisely so, to render those of your unhappy situation aware what risk they run, by concealing, out of pride or false shame, their lapse from virtue, and making no preparation to save the lives of the unfortunate infants whom they are

to bring into the world. When you concealed your situation from your mistress, your sister, and other worthy and compassionate persons of your own sex, in whose favour your former conduct had given you a fair place, you seem to me to have had in your contemplation, at least, the death of the helpless creature, for whose life you neglected to provide. How the child was disposed of—whether it was dealt upon by another, or by yourself—whether the extraordinary story you have told is partly false, or altogether so, is between God and your own conscience. I will not aggravate your distress by pressing on that topic, but I do most solemnly adjure you to employ the remaining space of your time in making your peace with God, for which purpose such reverend clergymen, as you yourself may name, shall have access to you. Notwithstanding the humane recommendation of the jury, I cannot afford to you, in the present circumstances of the country, the slightest hope that your life will be prolonged beyond the period assigned for the execution of your sentence. Forsaking, therefore, the thoughts of this world, let your mind be prepared by repentance for those of more awful moments—for death, judgment, and eternity.—Doomster, read the sentence." *

* The name of this officer is equivalent to the pronouncer of doom, or sentence. In this comprehensive sense, the Judges of the Isle of Man were called Dempsters. But in Scotland the word was long restricted to the designation of an official person, whose duty it was to recite the sentence after it had been pronounced by the Court, and recorded by the clerk; on which occasion the Dempster legalized it by the words of form, "*And this I pronounce for doom.*" For a length of years, the office, as mentioned in the text, was held *in commendam* with that of the executioner; for when this odious but necessary officer of justice received his appointment, he petitioned the Court of Justiciary to be received as their Dempster, which was granted as a matter of course.

When the Doomster showed himself, a tall haggard figure, arrayed in a fantastic garment of black and grey, passmented with silver lace, all fell back with a sort of instinctive horror, and made wide way for him to approach the foot of the table. As this office was held by the common executioner, men shouldered each other backward to avoid even the touch of his garment, and some were seen to brush their own clothes, which had accidentally become subject to such contamination. A sound went through the Court, produced by each person drawing in their

The production of the executioner in open court, and in presence of the wretched criminal, had something in it hideous and disgusting to the more refined feelings of later times. But if an old tradition of the Parliament House of Edinburgh may be trusted, it was the following anecdote which occasioned the disuse of the Dempster's office.

It chanced at one time that the office of public executioner was vacant. There was occasion for some one to act as Dempster, and, considering the party who generally held the office, it is not wonderful that a *locum tenens* was hard to be found. At length, one Hume, who had been sentenced to transportation, for an attempt to burn his own house, was induced to consent that he would pronounce the doom on this occasion. But when brought forth to officiate, instead of repeating the doom to the criminal, Mr. Hume addressed himself to their lordships in a bitter complaint of the injustice of his own sentence. It was in vain that he was interrupted, and reminded of the purpose for which he had come hither; "I ken what ye want of me, weel enough," said the fellow, "ye want me to be your Dempster; but I am come to be none of your Dempster, I am come to summon you, Lord T——, and you, Lord E——, to answer at the bar of another world for the injustice you have done me in this." In short, Hume had only made a pretext of complying with the proposal, in order to have an opportunity of reviling the Judges to their faces, or giving them, in the phrase of his country, "a sloan." He was hurried off amid the laughter of the audience, but the indecorous scene which had taken place contributed to the abolition of the office of Dempster. The sentence is now read over by the clerk of court, and the formality of pronouncing doom is altogether omitted.

breath hard, as men do when they expect or witness what is frightful, and at the same time affecting. The caitiff villain yet seemed, amid his hardened brutality, to have some sense of his being the object of public detestation, which made him impatient of being in public, as birds of evil omen are anxious to escape from daylight, and from pure air.

Repeating after the Clerk of Court, he gabbled over the words of the sentence, which condemned Euphemia Deans to be conducted back to the Tolbooth of Edinburgh, and detained there until Wednesday the —— day of ——; and upon that day, betwixt the hours of two and four o'clock afternoon, to be conveyed to the common place of execution, and there hanged by the neck upon a gibbet. "And this," said the Doomster, aggravating his harsh voice, "I pronounce for *doom*."

He vanished when he had spoken the last emphatic word, like a foul fiend after the purpose of his visitation had been accomplished; but the impression of horror excited by his presence and his errand, remained upon the crowd of spectators.

The unfortunate criminal,—for so she must now be termed,—with more susceptibility, and more irritable feelings than her father and sister, was found, in this emergence, to possess a considerable share of their courage. She had remained standing motionless at the bar while the sentence was pronounced, and was observed to shut her eyes when the Doomster appeared. But she was the first to break silence when that evil form had left his place.

"God forgive ye, my Lords," she said, "and dinna be angry wi' me for wishing it—we a' need forgiveness.—As for myself I canna blame ye, for ye act up to your

lights; and if I havena killed my poor infant, ye may witness a' that hae seen it this day, that I hae been the means of killing my greyheaded father—I deserve the warst frae man, and frae God too—But God is mair mercifu' to us than we are to each other."

With these words the trial concluded. The crowd rushed, bearing forward and shouldering each other, out of the Court, in the same tumultuary mode in which they had entered; and, in excitation of animal motion and animal spirits, soon forgot whatever they had felt as impressive in the scene which they had witnessed. The professional spectators, whom habit and theory had rendered as callous to the distress of the scene as medical men are to those of a surgical operation, walked homeward in groups, discussing the general principle of the statute under which the young woman was condemned, the nature of the evidence, and the arguments of the counsel, without considering even that of the Judge as exempt from their criticism.

The female spectators, more compassionate, were loud in exclamation against that part of the Judge's speech which seemed to cut off the hope of pardon.

"Set him up, indeed," said Mrs. Howden, "to tell us that the poor lassie behoved to die, when Mr. John Kirk, as civil a gentleman as is within the ports of the town, took the pains to prigg for her himsell."

"Ay, but, neighbour," said Miss Damahoy, drawing up her thin maidenly form to its full height of prim dignity—"I really think this unnatural business of having bastard-bairns should be putten a stop to.—There isna a hussy now on this side of thirty that you can bring within your doors, but there will be chields—writer-lads, prentice-lads, and what not—coming traiking after them for their

destruction, and discrediting ane's honest house into the bargain—I hae nae patience wi' them."

"Hout, neighbour," said Mrs. Howden, "we suld live and let live—we hae been young oursells, and we are no aye to judge the warst when lads and lasses forgather."

"Young oursells! and judge the warst!" said Miss Damahoy. "I am no sae auld as that comes to, Mrs. Howden; and as for what ye ca' the warst, I ken neither good nor bad about the matter, I thank my stars!"

"Ye are thankfu' for sma' mercies, then," said Mrs. Howden, with a toss of her head; "and as for *you* and *young*—I trow ye were doing for yoursell at the last riding of the Scots Parliament, and that was in the gracious year seven, saè ye can be nae sic chicken at ony rate."

Plumdamas, who acted as squire of the body to the two contending dames, instantly saw the hazard of entering into such delicate points of chronology, and being a lover of peace and good neighbourhood, lost no time in bringing back the conversation to its original subject.

"The Judge didna tell us a' he could hae tell'd us, if he had liked, about the application for pardon, neighbours," said he; "there is aye a wimple in a lawyer's clew; but it's a wee bit of a secret."

"And what is't—what is't, neighbour Plumdamas?" said Mrs. Howden and Miss Damahoy at once, the acid fermentation of their dispute being at once neutralized by the powerful alkali implied in the word secret.

"Here's Mr. Saddletree can tell ye that better than

me, for it was him that tauld me," said Plumdamas as Saddletree came up, with his wife hanging on his arm, and looking very disconsolate.

When the question was put to Saddletree, he looked very scornful. "They speak about stopping the frequency of child-murder," said he, in a contemptuous tone; "do ye think our auld enemies of England, as Glendook aye ca's them in his printed Statute-book, care a boddle whether we didna kill ane anither, skin and birn, horse and foot, man, woman, and bairns, all and sindry, *omnes et singulos*, as Mr. Crossmyloof says? Na, na, it's no *that* hinders them frae pardoning the bit lassie. But here is the pinch of the plea. The king and queen are sae ill pleased wi' that mistak about Porteous, that deil a kindly Scot will they pardon again, either by reprieve or remission, if the hail town o' Edinburgh should be a' hanged on ae tow."

"Deil that they were back at their German kale-yard then, as my neighbour MacCroskie ca's it," said Mrs. Howden, "an that's the way they're gaun to guide us!"

"They say for certain," said Miss Damahoy, "that King George flang his periwig in the fire when he heard o' the Porteous mob."

"He has done that, they say," replied Saddletree, "for less thing."

"Aweel," said Miss Damahoy, "he might keep mair wit in his anger—but it's a' the better for his wigmaker, I'se warrant."

"The queen tore her biggonets for perfect anger,—ye'll hae heard o' that too?" said Plumdamas. "And the king they say, kickit Sir Robert Walpole for no keeping down the mob of Edinburgh; but I dinna believe he wad behave sae ungenteel."

"It's dooms truth, though," said Saddletree; "and he was for kickin the Duke of Argyle * too."

"Kickin the Duke of Argyle!" exclaimed the hearers at once, in all the various combined keys of utter astonishment.

* This nobleman was very dear to his countrymen, who were justly proud of his military and political talents, and grateful for the ready zeal with which he asserted the rights of his native country. This was never more conspicuous than in the matter of the Porteous Mob, when the ministers brought in a violent and vindictive bill, for declaring the Lord Provost of Edinburgh incapable of bearing any public office in future, for not foreseeing a disorder which no one foresaw, or interrupting the course of a riot too formidable to endure opposition. The same bill made provision for pulling down the city gates, and abolishing the city guard,—rather a Hibernian mode of enabling them better to keep the peace within burgh in future.

The Duke of Argyle opposed this bill as a cruel, unjust, and fanatical proceeding, and an encroachment upon the privileges of the royal burghs of Scotland, secured to them by the treaty of Union. "In all the proceedings of that time," said his Grace, "the nation of Scotland treated with the English as a free and independent people; and as that treaty, my Lords, had no other guarantee for the due performance of its articles, but the faith and honour of a British Parliament, it would be both unjust and ungenerous, should this House agree to any proceedings that have a tendency to injure it."

Lord Hardwicke in reply to the Duke of Argyle, seemed to insinuate, that his Grace had taken up the affair in a party point of view, to which the nobleman replied in the spirited language quoted in the text. Lord Hardwicke apologized. The bill was much modified, and the clauses concerning the dismantling the city, and disbanding the guard, were departed from. A fine of £2000 was imposed on the city for the benefit of Porteous's widow. She was contented to accept three-fourths of the sum, the payment of which closed the transaction. It is remarkable, that, in our day, the Magistrates of Edinburgh have had recourse to both those measures, held in such horror by their predecessors, as necessary steps for the improvement of the city.

It may be here noticed, in explanation of another circumstance mentioned in the text, that there is a tradition in Scotland, that George II., whose irascible temper is said sometimes to have hurried him into ex-

"Ay, but MacCallummore's blood wadna sit down wi' that; there was risk of Andro Ferrara coming in thirdsman."

"The duke is a real Scotsman—a true friend to the country," answered Saddletree's hearers.

"Ay, troth is he, to king and country baith, as ye sall hear," continued the orator, "if ye will come in bye to our house, for it's safest speaking of sic things *inter parietes*."

When they entered his shop he thrust his prentice boy out of it, and, unlocking his desk, took out, with an air of grave and complacent importance, a dirty and crumpled piece of printed paper; he observed, "This is new corn—it's no every body could show you the like o' this. It's the duke's speech about the Porteous mob, just promulgated by the hawkers. Ye shall hear what Ian Roy Cean * says for himsell. My correspondent bought it in the Palace-yard, that's like just under the king's nose—

pressing his displeasure *par voie du fait*, offered to the Duke of Argyle, in angry audience, some menace of this nature, on which he left the presence in high disdain, and with little ceremony. Sir Robert Walpole, having met the Duke as he retired, and learning the cause of his resentment and discomposure, endeavoured to reconcile him to what had happened by saying, "Such was his Majesty's way, and that he often took such liberties with himself without meaning any harm." This did not mend matters in MacCallummore's eyes, who replied, in great disdain, "You will please to remember, Sir Robert, the infinite distance there is betwixt you and me." Another frequent expression of passion on the part of the same monarch, is alluded to in the old Jacobite song—

The fire shall get both hat and wig,
As oft-times they've got a' that.

* Red John the Warrior, a name personal and proper in the Highlands to John Duke of Argyle and Greenwich, as MacCummin was that of his race or dignity.

I think he claws up their mittans!—It came in a letter about a foolish bill of exchange that the man wanted me to renew for him. I wish ye wad see about it, Mrs. Saddletree."

Honest Mrs. Saddletree had hitherto been so sincerely distressed about the situation of her unfortunate protégée, that she had suffered her husband to proceed in his own way, without attending to what he was saying. The words *bills* and *renew* had, however, an awakening sound in them; and she snatched the letter which her husband held towards her, and wiping her eyes, and putting on her spectacles, endeavoured, as fast as the dew which collected on her glasses would permit, to get at the meaning of the needful part of the epistle; while her husband, with pompous elevation, read an extract from the speech.

"I am no minister, I never was a minister, and I never will be one——"

"I didna ken his Grace was ever designed for the ministry," interrupted Mrs. Howden.

"He disna mean a minister of the gospel, Mrs. Howden, but a minister of state," said Saddletree, with condescending goodness, and then proceeded: "The time was when I might have been a piece of a minister, but I was too sensible of my own incapacity to engage in any state affair. And I thank God that I had always too great a value for those few abilities which Nature has given me, to employ them in doing any drudgery, or any job of what kind soever. I have, ever since I set out in the world, (and I believe few have set out more early,) served my prince with my tongue; I have served him with any little interest I had, and I have served him with my sword, and in my profession of arms. I have held employments

which I have lost, and were I to be to-morrow deprived of those which still remain to me, and which I have endeavoured honestly to deserve, I would still serve him to the last acre of my inheritance, and to the last drop of my blood.——"

Mrs. Saddletree here broke in upon the orator:—"Mr. Saddletree, what *is* the meaning of a' this? Here are ye clavering about the Duke of Argyle, and this man Martingale gaun to break on our hands, and lose us gude sixty pounds—I wonder what duke will pay that, quotha—I wish the Duke of Argyle would pay his ain accounts—He is in a thousand punds Scots on thae very books when he was last at Roystoun—I'm no saying but he's a just nobleman, and that it's gude siller—but it wad drive ane daft to be confused wi' deukes and drakes, and thae distressed folk up stairs, that's Jeanie Deans and her father. And then, putting the very callant that was sewing the curpel out o' the shop, to play wi' blackguards in the close—Sit still, neighbours, it's no that I mean to disturb *you;* but what between courts o' law and courts o' state, and upper and under parliaments, and parliament-houses, here and in London, the gudeman's gane clean gyte, I think."

The gossips understood civility, and the rule of doing as they would be done by, too well, to tarry upon the slight invitation implied in the conclusion of this speech, and therefore made their farewells and departure as fast as possible, Saddletree whispering to Plumdamas that he would "meet him at MacCroskie's," (the low-browed shop in the Luckenbooths, already mentioned,) "in the hour of cause, and put MacCallummore's speech in his pocket, for a' the gudewife's din."

When Mrs. Saddletree saw the house freed of her

importunate visitors, and the little boy reclaimed from the pastimes of the wynd to the exercise of the awl, she went to visit her unhappy relative, David Deans, and his elder daughter, who had found in her house the nearest place of friendly refuge.

CHAPTER XXV.

ISAB.—Alas! what poor ability's in me
To do him good?
LUCIO.—Assay the power you have.

MEASURE FOR MEASURE.

WHEN Mrs. Saddletree entered the apartment in which her guests had shrouded their misery, she found the window darkened. The feebleness which followed his long swoon had rendered it necessary to lay the old man in bed. The curtains were drawn around him, and Jeanie sate motionless by the side of the bed. Mrs. Saddletree was a woman of kindness, nay, of feeling, but not of delicacy. She opened the half-shut window, drew aside the curtain, and, taking her kinsman by the hand, exhorted him to sit up, and bear his sorrow like a good man, and a Christian man, as he was. But when she quitted his hand, it fell powerless by his side, nor did he attempt the least reply.

"Is all over?" asked Jeanie, with lips and cheeks as pale as ashes,—"and is there nae hope for her?"

"Nane, or next to nane," said Mrs. Saddletree; "I heard the Judge-carle say it with my ain ears—It was a burning shame to see sae mony o' them set up yonder in their red gowns and black gowns, and to take the life o' a bit senseless lassie. I had never muckle broo o' my gudeman's gossips, and now I like them waur than ever. The only wiselike thing I heard ony body say, was decent

Mr. John Kirk of Kirk-knowe, and he wussed them just to get the king's mercy, and nae mair about it. But he spake to unreasonable folk—he might just hae keepit his breath to hae blawn on his porridge."

"But *can* the king gie her mercy?" said Jeanie, earnestly. "Some folk tell me he canna gie mercy in cases of mur——in cases like hers."

"*Can* he gie mercy, hinny?—I weel I wot he *can*, when he likes. There was young Singlesword, that stickit the Laird of Ballencleuch, and Captain Hackum, the Englishman, that killed Lady Colgrain's gudeman, and the master of Saint Clair, that shot the twa Shaws, and mony mair in my time—to be sure they were gentle blood, and had their kin to speak for them—And there was Jock Porteous the other day—I'se warrant there's mercy, an folk could win at it."

"Porteous?" said Jeanie; "very true—I forget a' that I suld maist mind.—Fare ye weel, Mrs. Saddletree; and may ye never want a friend in the hour of distress!"

"Will ye no stay wi' your father, Jeanie, bairn?—Ye had better," said Mrs. Saddletree.

"I will be wanted ower yonder," indicating the Tolbooth with her hand, "and I maun leave him now, or I will never be able to leave him. I fearna for his life—I ken how strong-hearted he is—I ken it," she said, laying her hand on her bosom, "by my ain heart at this minute."

"Weel, hinny, if ye think it's for the best, better he stay here and rest him, than gang back to St. Leonard's."

"Muckle better—muckle better—God bless you!—God bless you!—At no rate let him gang till ye hear frae me," said Jeanie.

"But ye'll be back belive?" said Mrs. Saddletree, detaining her; "they winna let ye stay yonder, hinny."

"But I maun gang to St. Leonard's—there's muckle to be dune, and little time to do it in—And I have friends to speak to—God bless you—take care of my father."

She had reached the door of the apartment, when, suddenly turning, she came back, and knelt down by the bedside.—"O father, gie me your blessing—I dare not go till ye bless me. Say but 'God bless ye, and prosper ye, Jeanie'—try but to say that!"

Instinctively, rather than by an exertion of intellect, the old man murmured a prayer, that "purchased and promised blessings might be multiplied upon her."

"He has blessed mine errand," said his daughter, rising from her knees, "and it is borne in upon my mind that I shall prosper."

So saying, she left the room.

Mrs. Saddletree looked after her, and shook her head. "I wish she binna roving, poor thing—There's something queer about a' thae Deanses. I dinna like folk to be sae muckle better than other folk—seldom comes gude o't. But if she's gaun to look after the kye at St. Leonard's, that's another story; to be sure they maun be sorted.—Grizzie, come up here, and tak tent to the honest auld man, and see he wants naething.—Ye silly tawpie," (addressing the maid-servant as she entered,) "what garr'd ye busk up your cockernony that gate?—I think there's been eneugh the day to gie an awfu' warning about your cockups and your fallal duds—see what they a' come to," &c. &c. &c.

Leaving the good lady to her lecture upon worldly vanities, we must transport our reader to the cell in which the unfortunate Effie Deans was now immured, being restricted of several liberties which she had enjoyed before the sentence was pronounced.

When she had remained about an hour in the state of stupefied horror so natural in her situation, she was disturbed by the opening of the jarring bolts of her place of confinement, and Ratcliffe showed himself. "It's your sister," he said, "wants to speak t'ye, Effie."

"I canna see naebody," said Effie, with the hasty irritability which misery had rendered more acute—"I canna see naebody, and least of a' her—Bid her take care o' the auld man—I am naething to ony o' them now, nor them to me."

"She says she maun see ye, though," said Ratcliffe; and Jeanie, rushing into the apartment, threw her arms round her sister's neck, who writhed to extricate herself from her embrace.

"What signifies coming to greet ower me," said poor Effie, "when you have killed me?—killed me, when a word of your mouth would have saved me—killed me, when I am an innocent creature—innocent of that guilt at least—and me that wad hae wared body and soul to save your finger from being hurt!"

"You shall not die," said Jeanie, with enthusiastic firmness; "say what you like o' me—think what you like o' me—only promise—for I doubt your proud heart—that ye wunna harm yourself, and you shall not die this shameful death."

"A *shameful* death I will not die, Jeanie, lass. I have that in my heart—though it has been ower kind a ane—that wunna bide shame. Gae hame to our father, and think nae mair on me—I have eat my last earthly meal."

"Oh, this was what I feared!" said Jeanie.

"Hout, tout, hinnie," said Ratcliffe; "it's but little ye ken o' thae things. Ane aye thinks at the first dinnle o' the sentence, they hae heart eneugh to die rather than

bide out the sax weeks; but they aye bide the sax weeks out for a' that. I ken the gate o't weel; I hae fronted the doomster three times, and here I stand, Jim Ratcliffe, for a' that. Had I tied my napkin strait the first time, as I had a great mind till't—and it was a' about a bit grey cowt, wasna worth ten punds sterling—where would I have been now?"

"And how *did* you escape?" said Jeanie, the fates of this man, at first so odious to her, having acquired a sudden interest in her eyes, from their correspondence with those of her sister.

"*How* did I escape?" said Ratcliffe, with a knowing wink,—"I tell ye I 'scapit in a way that naebody will escape from this Tolbooth while I keep the keys."

"My sister shall come out in the face of the sun," said Jeanie; "I will go to London, and beg her pardon from the king and queen. If they pardoned Porteous, they may pardon her; if a sister asks a sister's life on her bended knees, they will pardon her—they *shall* pardon her—and they will win a thousand hearts by it."

Effie listened in bewildered astonishment, and so earnest was her sister's enthusiastic assurance that she almost involuntarily caught a gleam of hope; but it instantly faded away.

"Ah, Jeanie! the king and queen live in London, a thousand miles from this—far ayont the saut sea; I'll be gane before ye win there."

"You are mistaen," said Jeanie; "it is no sae far, and they go to it by land; I learned something about thae things from Reuben Butler."

"Ah, Jeanie! ye never learned ony thing but what was gude frae the folk he keepit company wi'; but I—but I"—she wrung her hands and wept bitterly.

"Dinna think on that now," said Jeanie; "there will be time for that if the present space be redeemed. Fare ye weel. Unless I die by the road, I will see the king's face that gies grace—O, sir," (to Ratcliffe,) "be kind to her—She ne'er ken'd what it was to need a stranger's kindness till now.—Fareweel—fareweel, Effie!—dinna speak to me—I maunna greet now—my head's ower dizzy already!"

She tore herself from her sister's arms, and left the cell. Ratcliffe followed her, and beckoned her into a small room. She obeyed his signal, but not without trembling.

"What's the fule thing shaking for?" said he; "I mean nothing but civility to you. D—n me, I respect you, and I can't help it. You have so much spunk, that d—n me, but I think there's some chance of your carrying the day. But you must not go to the king till you have made some friend; try the duke—try MacCallummore; he's Scotland's friend—I ken that the great folks dinna muckle like him—but they fear him, and that will serve your purpose as weel. D'ye ken naebody wad gie ye a letter to him?"

"Duke of Argyle!" said Jeanie, recollecting herself suddenly, "what was he to that Argyle that suffered in my father's time—in the persecution?"

"His son or grandson, I'm thinking," said Ratcliffe; "but what o' that?"

"Thank God!" said Jeanie, devoutly clasping her hands.

"You whigs are aye thanking God for something," said the ruffian. "But hark ye, hinny, I'll tell ye a secret. Ye may meet wi' rough customers on the Border, or in the Midland, afore ye get to Lunnon. Now, deil

ane o' them will touch an acquaintance o' Daddie Ratton's; for though I am retired frae public practice, yet they ken I can do a gude or an ill turn yet—and deil a gude fellow that has been but a twelvemonth on the lay, be he ruffler or padder, but he knows my gybe * as well as the jark † of e'er a queer cuffin ‡ in England—and there's rogue's Latin for you."

It was, indeed, totally unintelligible to Jeanie Deans, who was only impatient to escape from him. He hastily scrawled a line or two on a dirty piece of paper, and said to her, as she drew back when he offered it, "Hey!—what the deil—it wunna bite you, my lass—if it does nae gude, it can do nae ill. But I wish you to show it, if you have ony fasherie wi' ony o' St. Nicholas's clerks."

"Alas!" said she, "I do not understand what you mean."

"I mean, if ye fall among thieves, my precious,—that is a Scripture phrase, if ye will hae ane—the bauldest of them will ken a scart o' my guse feather. And now awa wi' ye—and stick to Argyle; if ony body can do the job, it maun be him."

After casting an anxious look at the grated windows and blackened walls of the old Tolbooth, and another scarce less anxious at the hospitable lodging of Mrs. Saddletree, Jeanie turned her back on that quarter, and soon after on the city itself. She reached St. Leonard's Crags without meeting any one whom she knew, which, in the state of her mind, she considered as a great blessing. "I must do naething," she thought, as she went along, "that can soften or weaken my heart—it's ower weak already for what I hae to do. I will think and act as firmly as I can, and speak as little."

* Pass. † Seal. ‡ Justice of the Peace.

There was an ancient servant, or rather cottar, of her father's, who had lived under him for many years, and whose fidelity was worthy of full confidence. She sent for this woman, and explaining to her that the circumstances of her family required that she should undertake a journey, which would detain her for some weeks from home, she gave her full instructions concerning the management of the domestic concerns in her absence. With a precision, which, upon reflection, she herself could not help wondering at, she described and detailed the most minute steps which were to be taken, and especially such as were necessary for her father's comfort. "It was probable," she said, "that he would return to St. Leonard's to-morrow; certain that he would return very soon—all must be in order for him. He had eneugh to distress him, without being fashed about warldly matters."

In the meanwhile she toiled busily along with May Hettly, to leave nothing unarranged.

It was deep in the night when all these matters were settled; and when they had partaken of some food, the first which Jeanie had tasted on that eventful day, May Hettly, whose usual residence was a cottage at a little distance from Deans's house, asked her young mistress, whether she would not permit her to remain in the house all night? "Ye hae had an awfu' day," she said, "and sorrow and fear are but bad companions in the watches of the night, as I hae heard the gudeman say himsell."

"They are ill companions, indeed," said Jeanie; "but I maun learn to abide their presence, and better begin in the house than in the field."

She dismissed her aged assistant accordingly,—for so

slight was the gradation in their rank of life, that we can hardly term May a servant,—and proceeded to make a few preparations for her journey.

The simplicity of her education and country made these preparations very brief and easy. Her tartan screen served all the purposes of a riding-habit and of an umbrella; a small bundle contained such changes of linen as were absolutely necessary. Barefooted, as Sancho says, she had come into the world, and barefooted she proposed to perform her pilgrimage; and her clean shoes and change of snow-white thread stockings were to be reserved for special occasions of ceremony. She was not aware, that the English habits of *comfort* attach an idea of abject misery to the idea of a barefooted traveller; and if the objection of cleanliness had been made to the practice, she would have been apt to vindicate herself upon the very frequent ablutions to which, with Mahometan scrupulosity, a Scottish damsel of some condition usually subjects herself. Thus far, therefore, all was well.

From an oaken press, or cabinet, in which her father kept a few old books, and two or three bundles of papers, besides his ordinary accounts and receipts, she sought out and extracted from a parcel of notes of sermons, calculations of interest, records of dying speeches of the martyrs, and the like, one or two documents which she thought might be of some use to her upon her mission. But the most important difficulty remained behind, and it had not occurred to her until that very evening. It was the want of money; without which it was impossible she could undertake so distant a journey as she now meditated.

David Deans, as we have said, was easy, and even

opulent in his circumstances. But his wealth, like that of the patriarchs of old, consisted in his kine and herds, and in two or three sums lent out at interest to neighbours or relatives, who, far from being in circumstances to pay any thing to account of the principal sums, thought they did all that was incumbent on them when, with considerable difficulty, they discharged the "annual rent." To these debtors it would be in vain, therefore, to apply, even with her father's concurrence; nor could she hope to obtain such concurrence, or assistance, in any mode, without such a series of explanations and debates as she felt might deprive her totally of the power of taking the step, which, however daring and hazardous, she felt was absolutely necessary for trying the last chance in favour of her sister. Without departing from filial reverence, Jeanie had an inward conviction that the feelings of her father, however just, and upright, and honourable, were too little in unison with the spirit of the time to admit of his being a good judge of the measures to be adopted in this crisis. Herself more flexible in manner, though no less upright in principle, she felt that to ask his consent to her pilgrimage would be to encounter the risk of drawing down his positive prohibition, and under that she believed her journey could not be blessed in its progress and event. Accordingly, she had determined upon the means by which she might communicate to him her undertaking and its purpose, shortly after her actual departure. But it was impossible to apply to him for money without altering this arrangement, and discussing fully the propriety of her journey; pecuniary assistance from that quarter, therefore, was laid out of the question.

It now occurred to Jeanie that she should have consulted with Mrs. Saddletree on this subject. But, besides

the time that must now necessarily be lost in recurring to her assistance, Jeanie internally revolted from it. Her heart acknowledged the goodness of Mrs. Saddletree's general character, and the kind interest she took in their family misfortunes; but still she felt that Mrs. Saddletree was a woman of an ordinary and worldly way of thinking, incapable, from habit and temperament, of taking a keen or enthusiastic view of such a resolution as she had formed; and to debate the point with her, and to rely upon her conviction of its propriety, for the means of carrying it into execution, would have been gall and wormwood.

Butler, whose assistance she might have been assured of, was greatly poorer than herself. In these circumstances, she formed a singular resolution for the purpose of surmounting this difficulty, the execution of which will form the subject of the next chapter.

WATCH
WEEL